May 5, 2017

A Special Meeting of the Bay Village City Council will be held on Monday, May 8, 2017 at 8:00 p.m., following the 7:30 p.m. Committee Meeting of Council, in the Council Chambers of Bay Village City Hall, 350 Dover Center Road, to take action on items listed below:

1. Roll Call; Pledge of Allegiance led by Councilman Tom Henderson, Ward 4.

2. Announcements/Audience/Miscellaneous

3. Motion to approve minutes of Regular Meeting of Council held May 1, 2017.*Tadych*

4. Motion to acknowledge receipt of April, 2017 Financial Reports of the City of Bay Village, as prepared by Finance Director Renee Mahoney.*Tadych*

5. Ordinance 17-28 providing for the issuance and sale of $2,904,000 of notes, in anticipation of the issuance of bonds, for the purpose of paying costs of (i) Improving streets by resurfacing, paving and making other improvements as designated in the plans approved or to be approved by Council, (ii) Improving the city’s parks and recreational facilities by improving basketball and tennis courts, aquatic and related facilities and their sites and constructing and improving lighting facilities at Hartman field, (iii) Acquiring motor vehicles and equipment and acquiring and installing a work order system for use in performing the functions of the City’s Department of Public Services and Properties, (iv) Acquiring motor vehicles and equipment for use in performing the functions of the City’s Police Department, (v) Acquiring office equipment for use in performing the administrative functions of the City, (vi) Acquiring a bus and constructing improvements to facilities used in performing the functions of the City’s Department of Community Services, (vii) Acquiring motor vehicles and equipment and acquiring and installing a fuel dispensing system for use in performing the functions of the City’s Department of Public Services and Properties, (viii) Improving the City’s sanitary sewerage system by constructing sewer lines, (ix) Resurfacing and making other improvements to City surface parking areas, (x) Acquiring a motor vehicle and equipment for use in performing the functions of the City’s Fire Department, (xi) Acquiring a motor vehicle and equipment for use in performing the functions of the City’s Police Department and (xii) Acquiring motor vehicles and equipment and constructing improvements to facilities used in performing the functions of the City’s Department of Public Services and Properties, and declaring an emergency. (Second Reading) (First Reading 5-1-17).*Tadych*

6. Ordinance 17-29 providing for the issuance and sale of $550,000 of Notes, in anticipation of the issuance of Bonds, for the purpose of paying costs of improving streets by resurfacing, paving and making other improvements as designated in the plans approved or to be approved by Council, and declaring an emergency (Second Reading) (First Reading 5-1-17).*Tadych*

7. Ordinance 17-30 providing for the issuance and sale of $104,500 of Notes, in anticipation of the issuance of Bonds, for the purpose of paying costs of acquiring Motor Vehicles and Equipment for
use in performing the functions of the City’s Police Department, and declaring an emergency. (Second Reading) (First Reading 5-1-17).*Tadych*

8. Ordinance 17-31 providing for the issuance and sale of $414,000 of Notes, in anticipation of the issuance of Bonds, for the purpose of paying costs of acquiring Motor Vehicles and Equipment for use in performing the functions of the City’s Department of Public Service and Properties, and declaring an emergency. (Second Reading) (First Reading 5-1-17).*Tadych*

9. Ordinance 17-32 providing for the issuance and sale of $28,000 of Notes, in anticipation of the issuance of Bonds, for the purpose of paying costs of improving HVAC and lighting facilities at City Hall, and declaring an emergency. (Second Reading) (First Reading 5-1-17).*Henderson*

10. Ordinance 17-33 providing for the issuance and sale of $8,500 of Notes, in anticipation of the issuance of Bonds, for the purpose of paying costs of improving the City’s Community House by installing an ADA-Compliant Ramp, and declaring an emergency. (Second Reading) (First Reading 5-1-17).*Henderson*

11. Ordinance 17-34 providing for the issuance and sale of $240,000 of Notes, in anticipation of the issuance of Bonds, for the purpose of paying costs of acquiring a Motor Vehicles and Equipment for use in performing the functions of the City’s Fire Department, and declaring an emergency. (Second Reading) (First Reading 5-1-17).*Henderson*

12. Ordinance 17-35 providing for the issuance and sale of $22,500 of Notes, in anticipation of the issuance of Bonds, for the purpose of paying costs of acquiring Office Equipment for use in performing the administrative functions of the City, and declaring an emergency. (Second Reading) (First Reading 5-1-17).*Henderson*

13. Ordinance 17-36 providing for the issuance and sale of $104,000 of Notes, in anticipation of the issuance of bonds, for the purpose of paying costs of improving the City’s Parks and Recreational Facilities by improving constructing improvements to electrical systems, windows and restroom facilities and improving their sites, and declaring an emergency. (Second Reading) (First Reading 5-1-17).*Henderson*

14. Resolution adopting a Tax Budget for the City of Bay Village for the Fiscal Year beginning January 1, 2018, submitting same to the County Fiscal Officer, and declaring an emergency.*Tadych* (First Reading)

15. Ordinance authorizing the Mayor to enter into an agreement with the McGowan Insurance Agency as agents of Argonaut Insurance for Public Officials Liability, Law Enforcement Professional and Firefighters Professional Liability, Property and Equipment, Boiler & Machinery and Crime Coverage, and Umbrella Insurance, and declaring an emergency.*Tadych* (First Reading)
Agenda
Special Meeting of Council
May 8, 2017

16. Motion to convene to Executive Session- Litigation: Frances Mentch v. Mayor/City Council, Complaint for Declaratory Judgement; – Personnel: Director of Public Service and Properties.*Tadych*

17. Ordinance amending Section 1 of Ordinance 17-2 regarding rates of compensation for the officers and employees of the General Administration Department and those employees of the City not covered by separate labor contract for the Calendar Year 2017 and thereafter, and declaring an emergency.*Tadych*

18. Motion to confirm the appointment by Mayor Koomar of Jon Liskovec as Interim Director of Public Services and Properties of the City of Bay Village, Ohio.*Tadych*

19. Adjournment

Dwight Clark, President of Council

Charter Reference 2.11
Procedure

Section 2.14    - Effective Date  
C.O. 111.10    - Council Rules for Legislation  

Roll call on suspension of Charter Rules:

Every ordinance or resolution shall be read on three different days unless two-thirds (2/3) of the total number of Council members provided for in this Charter dispense with the rules.

Roll call on suspension of Council Rules:

No ordinance or resolution shall be passed unless a written copy thereof is before the Council …at least 24 hours before any meeting of Council at which action…is contemplated.

Roll call on inclusion of the emergency clause:

All ordinances and resolutions shall become effective forty (40) days after their passage by Council unless a later effective date is set forth or an earlier date is established. Resolutions to initiate any public improvement shall become effective immediately upon their passage and approval by the Mayor.

It is required that two-thirds (2/3) of the total number of Council members provided for by this Charter vote affirmatively to enact with the emergency provisions. This clause allows legislation to become effective immediately upon passage and approval by the Mayor.

NOTE: Regular and Special Meetings of Council are scheduled for 8:00 p.m. However, Council generally meets informally at 7:30 p.m. prior to a Regular or Special meeting, and said portion, usually held in the conference room, is open to the public.
CITY OF BAY VILLAGE

Council Minutes, Regular Meeting
Council Chambers 8:20 p.m.

May 1, 2017

Dwight A. Clark, President of Council, presiding

Present: Clark, Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent, Mayor Koomar

Also Present: Law Director Ebert, Recreation Director Enovitch, Community Services Director Selig, Human Resources Administrator Demaline.

AUDIENCE

The following audience members signed in this evening: Dick Majewski, Lydia DeGeorge, Bill Selong, Suzanne Graham, Alex Dade, Anthony Spaetzel, Carolyn Borsini, Jeff Gallatin, Claire Banasiak.

Mr. Clark called the Regular Meeting of Council to order at 8:20 p.m. in the Council Chambers of Bay Village City Hall, with roll call and the Pledge of Allegiance led by Councilwoman Karen Lieske, Ward 3.

Following roll call, Mr. Clark called for a reading of the minutes of the Regular Meeting of Council held April 17, 2017. Mr. Tadych moved to dispense with the reading and accept the minutes of the Regular Meeting of Council held April 17, 2017 as prepared and distributed. Motion carried 5-0 and two abstentions (Mr. Clark, Mr. Mace). Mr. Clark called for a reading of the minutes of the Cahoon Memorial Park Trustees held April 17, 2017. Mr. Tadych moved to dispense with the reading and accept the minutes of the Cahoon Memorial Park Trustees meeting held April 17, 2017, as prepared and distributed. Motion carried 6-0 and two abstentions (Mr. Clark, Mr. Mace).

ANNOUNCEMENTS

Presentation: Margaret Lann, Cleveland Restoration Society presented a summary of the presentation she gave for the benefit of residents interested in the Heritage Home Loan Program at 6:30 p.m. this evening.

Ms. Lann stated that over 40 residents attended the presentation this evening. Mayor Koomar issued a Mayor’s letter this year to all eligible homeowners, in place of the standard post cards. It has been found that something from the City really legitimizes the program resulting in increased program participation.

The Home Owners Loan Program offers free technical assistance and advice as well as low interest financing. It is available to any home in the City that is fifty years old or older, with three residential units or less. Guidance is provided with projects and construction specialists and preservation specialists are on staff to answer questions. Contractors provide free advice. If
a homeowners is interested in financing, Key Bank offers a 2% interest rate and Third Federal Savings and Loan offers a 1.99% interest rate. It is an equity loan and the homeowner does have to meet the bank’s guidelines. Once approved, the Cleveland Restoration Society becomes the escrow agent for all the loans. They are there to see, start to finish, that payment is made to the contractor and the project gets done.

Bay Village was in the program prior to the recession and rejoined again in 2015. This year marks the start of the third consecutive year of participation. In the combined first full two years there were 135 inquires or contacts, 71 site visits were conducted and three loans were approved with a total value of $197,461. A survey has recently been undertaken resulting in information that indicates that 30% of applicants do not finance through the program, but still continue their projects.

Since the beginning of 2017, in Bay Village there have been 32 inquiries, 11 site visits, and one new loan signed valued at $28,704. Another loan for $100,000 is pending with Key Bank. Since 2015, three loans have been completed. Work included both interior and exterior projects. Mr. Tadych asked how the first quarter activity in Bay Village compares to other cities of similar size and nature. Ms. Lann stated that they mailed to 4,478 eligible homes. A typical inquiry response has been the result, but there has been definitely a boost in loan applications, with having one approved already this year and one pending. This is better than other cities the size of Bay Village. Also, in the last two years there has only been one decline, and two withdrawals before a final decision was made.

The Cleveland Restoration Society is publishing a magazine about the Heritage Home Loan Program in celebration of their 25th anniversary. The magazine includes a testimony from a Bay Village resident. Mr. Vincent noted the value to residents of the low interest rate as part of this program.

Ms. Lann thanked the Mayor and Council for the opportunity to present the benefits of the Heritage Home Loan Program this evening.

REPORTS

Mayor Koomar stated that he is meeting with the seniors of the community on a monthly basis.

On Wednesday, May 31, 2017, the State of the City address by Mayor Koomar will be delivered at the Dwyer Memorial Senior Center, at 11 a.m.

Law Director Ebert announced that the “Back to Bay’s Future” event was held this last Saturday evening, April 29, 2017 at the Lakewood Country Club. The event was well attended, with money raised for the restoration of the Bay Village Community House. They are looking forward to continuing this program on an annual or biannual basis. Comments were heard on the many costumes worn at the event representing the 1960’s era. The event was thoroughly enjoyed by all in attendance.
Recreation Director Enovitch announced that five weeks from today, June 5, 2017, the Family Aquatic Center will be open for the summer. Early bird pricing for passes continues until May 11, 2017.

Director of Community Services Leslie Selig announced that the Senior Produce Market will be held on Tuesday, May 2, 2017 at the Knickerbocker Apartments from 11:30 a.m. to 2:00 p.m.

Mayor Koomar advised that Police Chief Spaetzel is out of town at training, and Fire Chief Lyons is ill. They met Friday, April 28 for an update on the Disaster Plan, working through appendix by appendix. Multiple meetings will be held this spring and summer to work through the entire document.

AUDIENCE

Carolyn Borcini, Winston Drive, reported that her dog was seriously hurt by a bag meant for the control of deer that was placed in a resident’s garden. Ms. Borcini contacted Poison Control only to learn that they were aware of this type of product. Ms. Borcini suggested that residents be asked not to use these bags because the product is available in a powder that any resident could put safely on their lawns and flower or vegetable beds. The bag has a string for hanging. It is the packaging with the string that will wrap around the animal’s intestines causing death. The name of the product is Green Screen.

Ms. Borcini will prepare a story for the Westlake-Bay Village Observer to inform residents of the danger to their pets. Mr. Clark agreed that an article with this information submitted to the Observer would be valuable, and noted the popularity and effectiveness of the Observer in bringing information, news and stories to Bay Village residents.

ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE

Motion by Mrs. Stainbrook to confirm the appointment of Paul Vincent by Mayor Koomar to Bay Family Services.

Motion carried 7-0.

FINANCE AND CLAIMS

Fiscal Officer’s Certificate dated May 1, 2017 and signed by Renee Mahoney, Director of Finance certifying that $2,904,000 of Notes to be issued in anticipation of Bonds for the purpose of paying cost of improving of (i) improving streets by resurfacing, paving and making other improvements as designated in the plans approved or to be approved by Council ($1,246,000 of the Notes), (ii) improving the City’s parks and recreational facilities by improving basketball and tennis courts, aquatic and related facilities and their sites and constructing and improving lighting facilities at Hartman Field ($302,000 of the Notes), (iii) acquiring motor vehicles and equipment and acquiring and installing a work order system for use in performing the functions of the City’s
Department of Public Services and Properties ($136,000 of the Notes), (iv) acquiring motor vehicles and equipment for use in performing the functions of the City’s Police Department ($142,000 of the Notes), (v) acquiring office equipment for use in performing the administrative functions of the City ($78,000 of the Notes), (vi) acquiring a bus and constructing improvements to facilities used in performing the functions of the City’s Department of Community Services ($67,500 of the Notes), (vii) acquiring motor vehicles and equipment and acquiring and installing a fuel dispensing system for use in performing the functions of the City’s Department of Public Services and Properties ($158,000 of the Notes), (viii) improving the City’s sanitary sewerage system by constructing sewer lines ($164,000 of the Notes), (ix) resurfacing and making other improvements to City surface parking areas ($86,000 of the Notes), (x) acquiring a motor vehicle and equipment for use in performing the functions of the City’s Fire Department ($83,000 of the Notes), (xi) acquiring a motor vehicle and equipment for use in performing the functions of the City’s Police Department ($60,000 of the Notes) and (xii) acquiring motor vehicles and equipment and constructing improvements to facilities used in performing the functions of the City’s Department of Public Services and Properties ($381,500 of the Notes) (collectively, the improvements), that of (i) improving streets by resurfacing, paving and making other improvements as designated in the plans approved or to be approved by Council ($1,246,000 of the Notes), (ii) improving the City’s parks and recreational facilities by improving basketball and tennis courts, aquatic and related facilities and their sites and constructing and improving lighting facilities at Hartman Field ($302,000 of the Notes), (iii) acquiring motor vehicles and equipment and acquiring and installing a work order system for use in performing the functions of the City’s Department of Public Services and Properties ($136,000 of the Notes), (iv) acquiring motor vehicles and equipment for use in performing the functions of the City’s Police Department ($142,000 of the Notes), (v) acquiring office equipment for use in performing the administrative functions of the City ($78,000 of the Notes), (vi) acquiring a bus and constructing improvements to facilities used in performing the functions of the City’s Department of Community Services ($67,500 of the Notes), (vii) acquiring motor vehicles and equipment and acquiring and installing a fuel dispensing system for use in performing the functions of the City’s Department of Public Services and Properties ($158,000 of the Notes), (viii) improving the City’s sanitary sewerage system by constructing sewer lines ($164,000 of the Notes), (ix) resurfacing and making other improvements to City surface parking areas ($86,000 of the Notes), (x) acquiring a motor vehicle and equipment for use in performing the functions of the City’s Fire Department ($83,000 of the Notes), (xi) acquiring a motor vehicle and equipment for use in performing the functions of the City’s Police Department ($60,000 of the Notes) and (xii) acquiring motor vehicles and equipment and constructing improvements to facilities used in performing the functions of the City’s Department of Public Services and Properties ($381,500 of the Notes) (collectively, the improvements), that the estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is (A) 15 years as to the portion of the Bonds related to the portion of the Bonds related to the improvements described in clauses (i), (vi) and (ix) above, (B) 30 years as to the portion of the Bonds related to the improvement described in clause (ii) above, (C) 10 years as to the portion of the Bonds related to the improvements described in clauses (iii), (vii), (x) and (xii) above, (D) six years as to the portion of the Bonds related to the improvement
described in clause (iv) above, (E) five years as to the portion of the Bonds related to the improvement described in clause (v) above, (F) 40 years as to the portion of the Bonds related to the improvement described in clause (viii) above and (G) seven years as to the portion of the Bonds related to the improvement described in clause (xi) above, and the maximum maturity of the Notes is (A) June 12, 2033, as to $225,000 of the Notes related to the improvement described in clause (ii) above, which date is 20 years from June 12, 2013, the date of issuance of the original notes issued for that purpose, (B) June 11, 2034, as to $22,000 of the Notes related to the improvement described in clause (i) above, $77,000 of the Notes related to the improvement described in clause (ii) above and $24,000 of the Notes related to the improvement described in clause (vi) above, which date is 20 years from June 11, 2014, the date of issuance of the original notes issued for those purposes, (C) June 11, 2029, as to the portion of the Notes related to the improvement described in clause (iii) above, which date is 15 years from June 11, 2014, the date of issuance of the original notes issued for that purpose, (D) June 11, 2025, as to $13,000 Notes related to the improvement described in clause (iv), which date is 11 years from June 11, 2014, the date of issuance of the original notes issued for that purpose, (E) June 11, 2024, as to $25,000 of the Notes related to the improvement described in clause (v) above, which date is 10 years from June 11, 2014, the date of issuance of the original notes issued for that purpose, (F) June 10, 2035, as to $533,000 of the Notes related to the improvement described in clause (i) above, $84,000 of the Notes related to the improvement described in clause (viii) above and the improvement described in clause (ix) above, which date is 20 years from June 10, 2015, the date of issuance of the original notes issued for those purposes, (G) June 10, 2030, as to the portion of the Notes related to the improvement described in clause (vii) above and $68,000 of the Notes related to the improvement described in clause (x) above, which date is 15 years from June 10, 2015, the date of issuance of the original notes issued for those purposes, (H) June 10, 2027, as to the Notes related to the improvement described in clause (ix) above, which date is 12 years from June 10, 2015, the date of issuance of the original notes issued for that purpose, (I) June 10, 2025, as to $20,000 of the Notes related to the improvement described in clause (v) above, which date is 10 years from June 10, 2015, the date of issuance of the original notes issued for that purpose, (J) June 9, 2036, as to $691,000 of the Notes related to the improvement described in clause (i) above, $43,500 of the Notes related to the improvement described in clause (vi) above and $80,000 of the Notes related to the improvement described in clause (viii) above, which date is 20 years from June 9, 2016, the date of issuance of the original notes issue for those purposes, (K) June 9, 2031, as to $15,000 of the Notes related to the improvement described in clause (x) above and the improvement described in clause (xii) above, which date is 15 years from June 9, 2016, the date of issuance of the original notes issued for those purposes, (L) June 9, 2027, as to $129,000 of the Notes related to the improvement described in clause (iv) above, which date is 11 years from June 9, 2016, the date of issuance of the original notes issued for that purpose, and (M) June 9, 2026, as to $33,000 of the Notes related to the improvement described in clause (v) above, which date is 10 years from June 9, 2016, the date of issuance of the original Notes issued for that purpose.

Mr. Tadych introduced and read, by title only, Ordinance 17-28 providing for the issuance and sale of $2,904,000 of notes, in anticipation of the issuance of bonds, for the purpose of paying costs
of (i) Improving streets by resurfacing, paving and making other improvements as designated in the plans approved or to be approved by Council, (ii) Improving the city’s parks and recreational facilities by improving basketball and tennis courts, aquatic and related facilities and their sites and constructing and improving lighting facilities at Hartman field, (iii) Acquiring motor vehicles and equipment and acquiring and installing a work order system for use in performing the functions of the City’s Department of Public Services and Properties, (iv) Acquiring motor vehicles and equipment for use in performing the functions of the City’s Police Department, (v) Acquiring office equipment for use in performing the administrative functions of the City, (vi) Acquiring a bus and constructing improvements to facilities used in performing the functions of the City’s Department of Community Services, (vii) Acquiring motor vehicles and equipment and acquiring and installing a fuel dispensing system for use in performing the functions of the City’s Department of Public Services and Properties, (viii) Improving the City’s sanitary sewerage system by constructing sewer lines, (ix) Resurfacing and making other improvements to City surface parking areas, (x) Acquiring a motor vehicle and equipment for use in performing the functions of the City’s Fire Department, (xi) Acquiring a motor vehicle and equipment for use in performing the functions of the City’s Police Department and (xii) Acquiring motor vehicles and equipment and constructing improvements to facilities used in performing the functions of the City’s Department of Public Services and Properties, and declaring an emergency.

Ordinance No. 17-28 was placed on first reading.

Fiscal Officer’s Certificate dated May 1, 2017 and signed by Renee Mahoney, Director of Finance certifying that $550,000 of Notes in anticipation of the issuance of bonds for the purpose of paying cost of improving streets by resurfacing, paving and making other improvements as designated in the plans approved or to be approved by Council, that the estimated life or period of usefulness of the improvement is at least five years, and the estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code is 15 years, and maximum maturity of Notes is 240 months from date of issuance.

Mr. Tadych introduced and read, by title only, Ordinance No. 17-29 providing for the issuance and sale of $550,000 of Notes, in anticipation of the issuance of Bonds, for the purpose of paying costs of improving streets by resurfacing, paving and making other improvements as designated in the plans approved or to be approved by Council, and declaring an emergency.

Ordinance No. 17-29 was placed on first reading.

Fiscal Officer’s Certificate dated May 1, 2017 and signed by Renee Mahoney, Director of Finance certifying that $104,500 of notes to be issued in anticipation of the issuance of bonds for the purpose of paying costs of acquiring motor vehicles and equipment for use in performing the functions of the City’s Police Department, together with the necessary appurtenances thereto, that the estimated life or period of usefulness of the improvement is at least five years, and the estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code is 10 years, and maximum maturity of Notes is 10 years from date of issuance.
Mr. Tadych introduced and read, by title only, Ordinance No. 17-30 providing for the issuance and sale of $104,500 of Notes, in anticipation of the issuance of Bonds, for the purpose of paying costs of acquiring Motor Vehicles and Equipment for use in performing the functions of the City’s Police Department, and declaring an emergency.

Ordinance No. 17-30 was placed on first reading.

Fiscal Officer’s Certificate dated May 1, 2017 and signed by Renee Mahoney, Director of Finance certifying that $414,000 of notes to be issued in anticipation of the issuance of bonds for the purpose of paying costs of acquiring Motor Vehicles and Equipment for use in performing the functions of the City’s Department of Public Services and Properties, together with the necessary appurtenances thereto, that the estimated life or period of usefulness of the improvement is at least five years, and the estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code is 10 years, and maximum maturity of Notes is 15 years from date of issuance.

Mr. Tadych introduced and read, by title only, Ordinance No. 17-31 providing for the issuance and sale of $414,000 of Notes, in anticipation of the issuance of Bonds, for the purpose of paying costs of acquiring Motor Vehicles and Equipment for use in performing the functions of the City’s Department of Public Service and Properties, and declaring an emergency.

Ordinance No. 17-31 was placed on first reading.

Fiscal Officer’s Certificate dated May 1, 2017 and signed by Renee Mahoney, Director of Finance certifying that $28,000 of notes to be issued in anticipation of the issuance of bonds for the purpose of paying costs of improving HVAC and lighting facilities at City Hall, together with the necessary appurtenances thereto, that the estimated life or period of usefulness of the improvement is at least five years, and the estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code is 20 years, and maximum maturity of Notes is 240 months from date of issuance.

Mr. Henderson introduced and read, by title only, Ordinance No. 17-32 providing for the issuance and sale of $28,000 of Notes, in anticipation of the issuance of Bonds, for the purpose of paying costs of improving HVAC and lighting facilities at City Hall, and declaring an emergency.

Ordinance No. 17-32 was placed on first reading.

Fiscal Officer’s Certificate dated May 1, 2017 and signed by Renee Mahoney, Director of Finance certifying that $8,500 of notes to be issued in anticipation of the issuance of bonds for the purpose of paying costs of improving the City’s Community House by installing an ADA-compliant ramp, together with the necessary appurtenances thereto, that the estimated life or period of usefulness of the improvement is at least five years, and the estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code is 20 years, and maximum maturity of Notes is 240 months from date of issuance.
Minutes of Regular Meeting
Bay Village City Council
May 1, 2017

Mr. Henderson introduced and read, by title only, Ordinance No. 17-33 providing for the issuance and sale of $8,500 of Notes, in anticipation of the issuance of Bonds, for the purpose of paying costs of improving the City’s Community House by installing an ADA-Compliant Ramp, and declaring an emergency.

Ordinance No. 17-33 was placed on first reading.

Fiscal Officer’s Certificate dated May 1, 2017 and signed by Renee Mahoney, Director of Finance certifying that $240,000 of notes to be issued in anticipation of the issuance of bonds for the purpose of paying costs of acquiring a Motor Vehicle and Equipment for use in performing the functions of the City’s Fire Department, together with the necessary appurtenances thereto, that the estimated life or period of usefulness of the improvement is at least five years, and the estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code is 10 years, and maximum maturity of Notes is 15 years from date of issuance.

Mr. Henderson introduced and read, by title only, Ordinance No. 17-34 providing for the issuance and sale of $240,000 of Notes, in anticipation of the issuance of Bonds, for the purpose of paying costs of acquiring a Motor Vehicles and Equipment for use in performing the functions of the City’s Fire Department, and declaring an emergency.

Ordinance No. 17-34 was placed on first reading.

Fiscal Officer’s Certificate dated May 1, 2017 and signed by Renee Mahoney, Director of Finance certifying that $22,500 of notes to be issued in anticipation of the issuance of bonds for the purpose of paying costs of acquiring Office Equipment for use in performing the administrative functions of the City, together with all necessary appurtenances thereto, that the estimated life or period of usefulness of the improvement is at least five years, and the estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code is five years, and maximum maturity of Notes is 10 years from date of issuance.

Mr. Henderson introduced and read, by title only, Ordinance No. 17-35 providing for the issuance and sale of $22,500 of Notes, in anticipation of the issuance of Bonds, for the purpose of paying costs of acquiring Office Equipment for use in performing the administrative functions of the City, and declaring an emergency.

Ordinance No. 17-35 was placed on first reading.

Fiscal Officer’s Certificate dated May 1, 2017 and signed by Renee Mahoney, Director of Finance certifying that $104,000 of notes to be issued in anticipation of the issuance of bonds for the purpose of paying costs of improving the City’s parks and recreational facilities by improving constructing improvements to electrical systems, windows and restroom facilities and improving their sites, all together with the necessary appurtenances thereto, that the estimated life or period of usefulness of the improvement is at least five years, and the estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code is 15 years, and maximum maturity of Notes is 240 months from date of issuance.
Mr. Henderson introduced and read, by title only, Ordinance No. 17-36 providing for the issuance and sale of $104,000 of Notes, in anticipation of the issuance of bonds, for the purpose of paying costs of improving the City’s Parks and Recreational Facilities by improving constructing improvements to electrical systems, windows and restroom facilities and improving their sites, and declaring an emergency. Mr. Henderson requested that Mayor Koomar discuss with Mr. Landers in regard to the Clear Span equipment referenced in the ordinance, and with Finance Director Mahoney about the inclusion of the Clear Span Cover for top soil in the title of the ordinance.

Ordinance No. 17-36 was placed on first reading.

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE – Mrs. Lieske

Mr. Clark advised that the Ordinance amending Section 1351 of the Codified Ordinances of the City of Bay Village regarding the Determination of Grade Lines, and declaring an emergency was removed from this evening’s agenda pending the Planning, Zoning, Public Grounds and Buildings Committee review.

PUBLIC IMPROVEMENTS/STREETS/SEWERS/DRAINAGE COMMITTEE-Mr. Henderson

Motion by Mr. Henderson authorizing the advertisement for bids for the Osborn Road Sewer Replacement Project.

Motion carried 7-0.

Mr. Henderson introduce and read, by title only, Resolution No. 17-37 authorizing participation in the ODOT Winter Contract (018-18) for Road Salt. The words “and declaring an emergency” were removed from the agenda in reference to the title of this resolution.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Resolution No. 17-37.

Roll Call on Suspension of the Charter Rules:
   Yeas- Clark, Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent
   Nays -None

Roll Call on Suspension of the Council Rules:
   Yeas – Clark, Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent
   Nays – None.

Roll Call on Adoption:
   Yeas–Clark, Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent
   Nays–None.

Mr. Clark announced adoption of Resolution No. 17-37, by a vote of 7-0.

RECREATION AND PARK IMPROVEMENTS COMMITTEE
Mr. Mace had no report this evening.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE – Mr. Tadych

Motion by Tadych to authorize the advertisement for bids for a Generator for the Dwyer Memorial Senior Center.

Motion carried 7-0.

Mr. Tadych introduced and read Ordinance 17-38 authorizing the Mayor to enter into an agreement with ClearSpan Fabric Structures International for replacement of ClearSpan Cover on the Road Salt Storage Area, and declaring an emergency.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 17-38.

Roll Call on Suspension of the Charter Rules:
  Yeas- Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent, Clark
  Nays -None

Roll Call on Suspension of the Council Rules:
  Yeas - Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent, Clark
  Nays – None.

Roll Call on Use of the Emergency Clause:
  Yeas- Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent, Clark
  Nays -None

Roll Call on Adoption:
  Yeas– Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent, Clark
  Nays–None.

Mr. Clark announced adoption of Ordinance No. 17-38, an emergency measure, by a vote of 7-0.

MISCELLANEOUS

Mr. Mace asked Mr. Ebert about an email he had sent him regarding trees and Mr. Ebert will get back to Mr. Mace by Wednesday of this week, noting that it is a property line issue.

In regard to complimentary comments made earlier regarding the Westlake-Bay Village Observer, Mr. Clark noted that Westlife reporter Jeff Gallatin is in the audience and Mr. Clark would like it to be known that the Westlife newspaper is equally important to the community of Bay Village and similarly well-read and held in high regard by the residents.

In compliance with Section 121.22 of the Ohio Revised Code, Mr. Tadych MOVED to convene to Executive Session regarding Cahoon Memorial Park-Attorney General Litigation, and Personnel – Director of Public Service and Properties.
Minutes of Regular Meeting
Bay Village City Council
May 1, 2017

Roll Call Vote: Yeas- Lieske, Mace, Stainbrook, Tadych, Vincent, Clark, Henderson. Nays – None. Motion passed 7-0.

In addition to the members of Council, Mayor Koomar, Law Director Ebert, and Human Resources Administrator Demaline were present in Executive Session.

Council reconvened in an open meeting at 10:27 p.m. Present were: Clark, Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent.

There being no further business to discuss, the meeting adjourned at 10:29 p.m.

____________________________________               __________________________
Dwight A. Clark, President of Council   Joan Kemper, Clerk of Council
## BAN Payments

For Year 2016

<table>
<thead>
<tr>
<th>Year</th>
<th>Original Amount</th>
<th>Yearly Pay Down</th>
<th>Balance at Year End</th>
<th>Balance 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013 BAN</td>
<td>2013</td>
<td>1,250,000</td>
<td>250,000</td>
<td>500,000</td>
</tr>
<tr>
<td>2014 BAN</td>
<td>2014</td>
<td>1,320,000</td>
<td>264,000</td>
<td>792,000</td>
</tr>
<tr>
<td>2015 BAN</td>
<td>2015</td>
<td>1,505,000</td>
<td>258,600</td>
<td>1,246,400</td>
</tr>
<tr>
<td>2016 BAN</td>
<td>2016</td>
<td>1,374,600</td>
<td>236,000</td>
<td>1,374,600</td>
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### Annual Pay Down

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<tbody>
<tr>
<td>2016 BAN</td>
<td>5 years all other</td>
<td>683,620</td>
<td>136,724</td>
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<tr>
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<td>7 years roads</td>
<td>690,980</td>
<td>98,711</td>
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<td>235,435</td>
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</table>

For Year 2017

<table>
<thead>
<tr>
<th>Year</th>
<th>Original Amount</th>
<th>Yearly Pay Down</th>
<th>Balance at 12/31/17</th>
<th>Balance 12/31/2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013 BAN</td>
<td>2013</td>
<td>1,250,000</td>
<td>250,000</td>
<td>250,000</td>
</tr>
<tr>
<td>2014 BAN</td>
<td>2014</td>
<td>1,320,000</td>
<td>264,000</td>
<td>528,000</td>
</tr>
<tr>
<td>2015 BAN</td>
<td>2015</td>
<td>1,505,000</td>
<td>259,000</td>
<td>987,400</td>
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<tr>
<td>2016 BAN</td>
<td>2016</td>
<td>1,374,600</td>
<td>236,000</td>
<td>1,138,600</td>
</tr>
<tr>
<td>2017 BAN</td>
<td>2017</td>
<td>1,471,500</td>
<td>262,871</td>
<td>1,471,500</td>
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<td>1,271,872</td>
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<td>4,375,500</td>
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<td>3,103,629</td>
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</table>

### Annual Pay Down

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<tbody>
<tr>
<td>2017 BAN</td>
<td>5 years all other</td>
<td>921,500</td>
<td>184,300</td>
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<tr>
<td></td>
<td>7 years roads</td>
<td>550,000</td>
<td>78,571</td>
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<td></td>
<td>262,871</td>
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</tbody>
</table>
City of Bay Village
Debt Financed Capital Projects
1/1/2017

<table>
<thead>
<tr>
<th>Source of Funds</th>
<th>Department</th>
<th>Account No.</th>
<th>Project Description</th>
<th>Debt Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FUND 240 - EQUIPMENT REPLACEMENT</strong></td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>2017 Debt</td>
<td>Finance</td>
<td>240.111.55230</td>
<td>Computers</td>
<td>22,500.00</td>
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<tr>
<td>2017 Debt</td>
<td>Fire</td>
<td>240.111.55210</td>
<td>Medic 12</td>
<td>240,000.00</td>
</tr>
<tr>
<td>2017 Debt</td>
<td>Police</td>
<td>240.111.55220</td>
<td>Police Car 1122 and 1124</td>
<td>90,000.00</td>
</tr>
<tr>
<td>2017 Debt</td>
<td>Police</td>
<td>240.111.55220</td>
<td>CAD/RMS System</td>
<td>14,500.00</td>
</tr>
<tr>
<td>2017 Debt</td>
<td>Service</td>
<td>240.111.55260</td>
<td>Bucket Truck</td>
<td>175,000.00</td>
</tr>
<tr>
<td>2017 Debt</td>
<td>Service</td>
<td>240.111.55260</td>
<td>Truck 70 - Pickup with Plow</td>
<td>32,000.00</td>
</tr>
<tr>
<td>2017 Debt</td>
<td>Service</td>
<td>240.111.55260</td>
<td>Front End Loader</td>
<td>175,000.00</td>
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<tr>
<td>2017 Debt</td>
<td>Service</td>
<td>240.111.55260</td>
<td>#514 Mower</td>
<td>14,000.00</td>
</tr>
<tr>
<td>2017 Debt</td>
<td>Service</td>
<td>240.111.55260</td>
<td>Welder and Pressure Washer</td>
<td>18,000.00</td>
</tr>
</tbody>
</table>

| **FUND 270 - STREET REPAIR & MAINTENANCE** |               |                 |                                               |             |
| 2017 Debt/Fund Bala Service   | Service       | 270.310.55430   | Various Streets                               | 550,000.00  |

| **FUND 495 - MUNICIPAL BUILDINGS** |               |                 |                                               |             |
| 2017 Debt       | Service       | 495.119.55200   | Light Replacements City Hall/Service Garage  | 14,000.00   |
| 2017 Debt       | Service       | 495.119.55200   | HVAC City Hall                                | 14,000.00   |
| 2017 Debt       | Service       | 495.119.55200   | Clague Park Electrical                        | 4,000.00    |
| 2017 Debt       | Service       | 495.119.55200   | Clear Span for Topsoil                        | 15,000.00   |
| 2017 Debt       | Service       | 495.119.55200   | Community House Engineering/ADA Ramp Des      | 8,500.00    |
| 2017 Debt       | Recreation    | 495.119.55200   | Renovate Park Restrooms                       | 75,000.00   |
| 2017 Debt       | Community Services | 495.119.55200 | Dwyer Windows                                 | 10,000.00   |

**Total All Funds**: 1,471,500.00
### CITY OF BAY VILLAGE

**GENERAL OBLIGATION BONDS**

**BOND PRINCIPAL & INTEREST**

1/1/17

<table>
<thead>
<tr>
<th>Description</th>
<th>Rate</th>
<th>01/01/17</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>2023</th>
<th>2024</th>
<th>2025</th>
<th>2026</th>
<th>2027</th>
<th>2028</th>
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</thead>
<tbody>
<tr>
<td>Recreational Facilities 2002</td>
<td>4.126% Principal (Community Own - 15 years)</td>
<td>2.300</td>
<td>50,000</td>
<td>50,000</td>
<td>50,000</td>
<td>50,000</td>
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<tr>
<td>Recreational Facilities 2002</td>
<td>4.339% Principal</td>
<td>2.300</td>
<td>760,000</td>
<td>130,000</td>
<td>130,000</td>
<td>130,000</td>
<td>130,000</td>
<td>125,000</td>
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<tr>
<td></td>
<td>(Revenue Facility - 15 years)</td>
<td>Interest</td>
<td>2.300</td>
<td>133,720</td>
<td>133,720</td>
<td>133,720</td>
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<tr>
<td>Police Station Cost Srr 2011</td>
<td>5.114% Principal</td>
<td>2.300</td>
<td>1,500,000</td>
<td>100,000</td>
<td>100,000</td>
<td>125,000</td>
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<td>Interest</td>
<td></td>
<td>2.300</td>
<td>25,000</td>
<td>25,000</td>
<td>32,500</td>
<td>32,500</td>
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<td>32,500</td>
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<tr>
<td>Police Station Cost Srr 2013</td>
<td>2.848% Principal</td>
<td>2.300</td>
<td>2,735,000</td>
<td>265,000</td>
<td>265,000</td>
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<tr>
<td></td>
<td>(17 year retirement)</td>
<td>Interest</td>
<td>2.300</td>
<td>60,360</td>
<td>60,360</td>
<td>60,360</td>
<td>60,360</td>
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<tr>
<td>Various Purposes 2014-16</td>
<td>1.900% Principal</td>
<td>2.300</td>
<td>3,311,000</td>
<td>75,000</td>
<td>75,000</td>
<td>75,000</td>
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<tr>
<td></td>
<td>(Debt Service)</td>
<td>Interest</td>
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<td>2,375</td>
<td>2,375</td>
<td>2,375</td>
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### TOTAL GENERAL OBLIGATION BONDS

| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |
### PAYABLES FROM DEBT SERVICE FUND

| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |
### REFUNDED AMOUNT

| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |
### ANTICIPATED PROPERTY TAX PROCEEDS

| | | | | | | | | | | | | | | |
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### SURPLUS/(DEFICIT)

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### CASH FUND BALANCE 12/31/16

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| | | | | | | | | | | | | | | |
FISCAL OFFICER’S CERTIFICATE

TO THE COUNCIL OF THE CITY OF BAY VILLAGE, OHIO:

As fiscal officer of the City of Bay Village, Ohio, I certify in connection with your proposed issue of $2,904,000 of notes (the Notes), to be issued in anticipation of the issuance of bonds (the Bonds), for the purpose of paying costs of (i) improving streets by resurfacing, paving and making other improvements as designated in the plans approved or to be approved by Council ($1,246,000 of the Notes), (ii) improving the City’s parks and recreational facilities by improving basketball and tennis courts, aquatic and related facilities and their sites and constructing and improving lighting facilities at Hartman Field ($302,000 of the Notes), (iii) acquiring motor vehicles and equipment and acquiring and installing a work order system for use in performing the functions of the City’s Department of Public Services and Properties ($136,000 of the Notes), (iv) acquiring motor vehicles and equipment for use in performing the functions of the City’s Police Department ($142,000 of the Notes), (v) acquiring office equipment for use in performing the administrative functions of the City ($78,000 of the Notes), (vi) acquiring a bus and constructing improvements to facilities used in performing the functions of the City’s Department of Community Services ($67,500 of the Notes), (vii) acquiring motor vehicles and equipment and acquiring and installing a fuel dispensing system for use in performing the functions of the City’s Department of Public Services and Properties ($158,000 of the Notes), (viii) improving the City’s sanitary sewerage system by constructing sewer lines ($164,000 of the Notes), (ix) resurfacing and making other improvements to City surface parking areas ($86,000 of the Notes), (x) acquiring a motor vehicle and equipment for use in performing the functions of the City’s Fire Department ($83,000 of the Notes), (xi) acquiring a motor vehicle and equipment for use in performing the functions of the City’s Police Department ($60,000 of the Notes) and (xii) acquiring motor vehicles and equipment and constructing improvements to facilities used in performing the functions of the City’s Department of Public Services and Properties ($381,500 of the Notes) (collectively, the improvements), that:

1. The estimated life or period of usefulness of the improvements is at least five years.

2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is (A) 15 years as to the portion of the Bonds related to the portion of the Bonds related to the improvements described in clauses (i), (vi) and (ix) above, (B) 30 years as to the portion of the Bonds related to the improvement described in clause (ii) above, (C) 10 years as to the portion of the Bonds related to the improvements described in clauses (iii), (vii), (x) and (xii) above, (D) six years as to the portion of the Bonds related to the improvement described in clause (iv) above, (E) five years as to the portion of the Bonds related to the improvement described in clause (v) above, (F) 40 years as to the portion of the Bonds related to the improvement described in clause (viii) above and (G) seven years as to the portion of the Bonds related to the improvement described in clause (xi) above. If notes in anticipation of the related Bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original issue of notes, the period in excess of those five years shall be deducted from that maximum maturity of the related Bonds.
3. The maximum maturity of the Notes is (A) June 12, 2033, as to $225,000 of the Notes related to the improvement described in clause (ii) above, which date is 20 years from June 12, 2013, the date of issuance of the original notes issued for that purpose, (B) June 11, 2034, as to $22,000 of the Notes related to the improvement described in clause (i) above, $77,000 of the Notes related to the improvement described in clause (ii) above and $24,000 of the Notes related to the improvement described in clause (vi) above, which date is 20 years from June 11, 2014, the date of issuance of the original notes issued for those purposes, (C) June 11, 2029, as to the portion of the Notes related to the improvement described in clause (iii) above, which date is 15 years from June 11, 2014, the date of issuance of the original notes issued for that purpose, (D) June 11, 2025, as to $13,000 Notes related to the improvement described in clause (iv), which date is 11 years from June 11, 2014, the date of issuance of the original notes issued for that purpose, (E) June 11, 2024, as to $25,000 of the Notes related to the improvement described in clause (v) above, which date is 10 years from June 11, 2014, the date of issuance of the original notes issued for that purpose, (F) June 10, 2035, as to $533,000 of the Notes related to the improvement described in clause (i) above, $84,000 of the Notes related to the improvement described in clause (viii) above and the improvement described in clause (ix) above, which date is 20 years from June 10, 2015, the date of issuance of the original notes issued for those purposes, (G) June 10, 2030, as to the portion of the Notes related to the improvement described in clause (vii) above and $68,000 of the Notes related to the improvement described in clause (x) above, which date is 15 years from June 10, 2015, the date of issuance of the original notes issued for those purposes, (H) June 10, 2027, as to the Notes related to the improvement described in clause (xi) above, which date is 12 years from June 10, 2015, the date of issuance of the original notes issued for that purpose, (I) June 10, 2025, as to $20,000 of the Notes related to the improvement described in clause (v) above, which date is 10 years from June 10, 2015, the date of issuance of the original notes issued for that purpose, (J) June 9, 2036, as to $691,000 of the Notes related to the improvement described in clause (i) above, $43,500 of the Notes related to the improvement described in clause (vi) above and $80,000 of the Notes related to the improvement described in clause (viii) above, which date is 20 years from June 9, 2016, the date of issuance of the original notes issued for those purposes, (K) June 9, 2031, as to $15,000 of the Notes related to the improvement described in clause (x) above and the improvement described in clause (xii) above, which date is 15 years from June 9, 2016, the date of issuance of the original notes issued for those purposes, (L) June 9, 2027, as to $129,000 of the Notes related to the improvement described in clause (iv) above, which date is 11 years from June 9, 2016, the date of issuance of the original notes issued for that purpose, and (M) June 9, 2026, as to $33,000 of the Notes related to the improvement described in clause (v) above, which date is 10 years from June 9, 2016, the date of issuance of the original Notes issued for that purpose.

Dated: May 1, 2017

[Signature]
Director of Finance
City of Bay Village, Ohio
ORDINANCE NO.: 17-____
INTRODUCED BY: ________________

AN ORDINANCE


WHEREAS, pursuant to Ordinance Nos. 16-24, 16-25, 16-26, 16-27, 16-28, 16-29, 16-30 and 16-31, each passed on May 9, 2016, the City issued its $3,913,000 Various Purpose Notes,
Series 2016 (the Outstanding Notes), in anticipation of bonds for the purposes stated in Section 1 and other purposes, which Outstanding Notes mature on June 9, 2017; and

WHEREAS, this Council finds and determines that the City should retire the Outstanding Notes with the proceeds of the Notes described in Section 3 and other funds available to the City; and

WHEREAS, the Director of Finance, as fiscal officer of the City, has certified to this Council that the estimated life or period of usefulness of the improvements described in Section 1 is at least five years, the estimated maximum maturity of the Bonds described in clauses (i), (vi) and (ix) of Section 1 is 15 years, in clause (ii) of Section 1 is 30 years, in clauses (iii), (vii), (x) and (xii) of Section 1 is 10 years, in clause (iv) of Section 1 is six years, in clause (v) of Section 1 is five years, in clause (viii) of Section 1 is 40 years and in clause (xi) of Section 1 is seven years, and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the Bonds described in clause (i) ($225,000 of those Bonds) of Section 1 is June 12, 2033, in anticipation of the Bonds described in clauses (i) ($22,000 of those Bonds), (ii) ($77,000 of those Bonds) and (vi) ($24,000 of those Bonds) of Section 1 is June 11, 2034, in anticipation of the Bonds described in clause (iii) of Section 1 is June 11, 2029, in anticipation of the Bonds described in clause (iv) ($13,000 of those Bonds) of Section 1 is June 11, 2025, in anticipation of the Bonds described in clause (v) ($25,000 of those Bonds) of Section 1 is June 11, 2024, in anticipation of the Bonds described in clauses (i) ($533,000 of those Bonds), (viii) ($84,000 of those Bonds) and (ix) of Section 1 is June 10, 2035, in anticipation of the Bonds described in clauses (vii) and (x) ($68,000 of those Bonds) of Section 1 is June 10, 2030, in anticipation of the Bonds described in clause (xi) of Section 1 is June 10, 2027, in anticipation of the Bonds described in clause (v) ($20,000 of those Bonds) of Section 1 is June 10, 2025; in anticipation of the Bonds described in clauses (i) ($691,000 of those Bonds), (vi) ($43,500 of those Bonds) and (viii) ($80,000 of those Bonds) of Section 1 is June 9, 2036, in anticipation of the Bonds described in clauses (x) ($15,000 of those Bonds) and (xi) of Section 1 is June 9, 2031, in anticipation of the Bonds described in clause (iv) ($129,000 of those Bonds) of Section 1 is June 9, 2027, and in anticipation of the Bonds described in clause (v) ($33,000 of those Bonds) of Section 1 is June 9, 2026;

NOW, THEREFORE, BE IT ORDEIGNED by the Council of the City of Bay Village, County of Cuyahoga, Ohio, that:

SECTION 1. Authorized Principal Amount and Purpose of Anticipated Bonds. It is necessary to issue bonds of the City in the aggregate principal amount of $2,904,000 (the Bonds) for the purpose of paying costs of (i) improving streets by resurfacing, paving and making other improvements as designated in the plans approved or to be approved by Council ($1,246,000), (ii) improving the City’s parks and recreational facilities by improving basketball and tennis courts, aquatic and related facilities and their sites and constructing and improving lighting facilities at Hartman Field ($302,000), (iii) acquiring motor vehicles and equipment and acquiring and installing a work order system for use in performing the functions of the City’s Department of Public Services and Properties ($136,000), (iv) acquiring motor vehicles and equipment for use in performing the functions of the City’s Police Department ($142,000), (v) acquiring office equipment for use in performing the administrative functions of the City ($78,000), (vi)
acquiring a bus and constructing improvements to facilities used in performing the functions of the City’s Department of Community Services ($67,500), (vii) acquiring motor vehicles and equipment and acquiring and installing a fuel dispensing system for use in performing the functions of the City’s Department of Public Services and Properties ($158,000), (viii) improving the City’s sanitary sewerage system by constructing sewer lines ($164,000), (ix) resurfacing and making other improvements to City surface parking areas ($86,000), (x) acquiring a motor vehicle and equipment for use in performing the functions of the City’s Fire Department ($83,000), (xi) acquiring a motor vehicle and equipment for use in performing the functions of the City’s Police Department ($60,000) and (xii) acquiring motor vehicles and equipment and constructing improvements to facilities used in performing the functions of the City’s Department of Public Services and Properties ($381,500).

SECTION 2. Estimated Bond Terms. The Bonds shall be dated approximately May 1, 2018, shall bear interest at the now estimated rate of 5% per year, payable semiannually until the principal amount is paid, and are estimated to mature in 15 annual principal installments on December 1 of each year that are substantially equal. The first interest payment on the Bonds is estimated to be December 1, 2018, and the first principal payment of the Bonds is estimated to be December 1, 2019.

SECTION 3. Authorized Principal Amount of Notes; Note Terms. It is necessary to issue and this Council determines that notes in the aggregate principal amount of $2,904,000 (the Notes) shall be issued in anticipation of the issuance of the Bonds and to retire, together with other funds available to the City, the Outstanding Notes. The Notes shall be dated the date of issuance and shall mature one year from the date of issuance; provided that the Director of Finance may, if it is determined to be necessary or advisable to the sale of the Notes, establish a maturity date that is any date up to one year from the date of issuance by setting forth that maturity date in the certificate signed in accordance with Section 6 (the Certificate of Award). The Notes shall bear interest at a rate not to exceed 4% per year (computed on the basis of a 360-day year consisting of 12 30-day months), payable at maturity and until the principal amount is paid or payment is provided for. The rate of interest on the Notes shall be determined by the Director of Finance in the Certificate of Award.

SECTION 4. Payment of Debt Charges; Paying Agent. The debt charges on the Notes shall be payable in Federal Reserve funds of the United States of America and shall be payable, without deduction for services of the City’s paying agent, at the designated corporate trust office of The Huntington National Bank, or at the principal corporate trust or other office of a bank or trust company designated by the Director of Finance in the Certificate of Award after determining that the payment at that bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose, or at the office of the Director of Finance if agreed to by the Director of Finance and the Original Purchaser (as defined in Section 6) (the Paying Agent).

SECTION 5. Form and Execution of Notes; Book Entry System. The Notes shall be signed by the Mayor and the Director of Finance, in the name of the City and in their official capacities, provided that one of those signatures may be a facsimile. The Notes shall be issued in
the denominations and numbers as requested by the Original Purchaser and approved by the Director of Finance in the Certificate of Award, provided that no Note shall be issued in a denomination less than $100,000. The entire principal amount may be represented by a single note and may be issued as fully registered securities (for which the Director of Finance will serve as note registrar) and in book entry or other uncertificated form in accordance with Section 9.96 and Chapter 133 of the Revised Code if it is determined by the Director of Finance that issuance of fully registered securities in that form will facilitate the sale and delivery of the Notes. The Notes shall not have coupons attached, shall be numbered as determined by the Director of Finance and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Ordinance. As used in this Section and this Ordinance:

“Book entry form” or “book entry system” means a form or system under which (i) the ownership of beneficial interests in the Notes and the principal of, and interest on, the Notes may be transferred only through a book entry, and (ii) a single physical Note certificate is issued by the City and payable only to a Depository or its nominee, with such Notes “immobilized” in the custody of the Depository or its agent for that purpose. The book entry maintained by others than the City is the record that identifies the owners of beneficial interests in the Notes and that principal and interest.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in the Notes or the principal of, and interest on, the Notes and to effect transfers of the Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Participant” means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single Note made payable to the Depository or its nominee and immobilized in the custody of the Depository or its agent for that purpose; (ii) the beneficial owners in book entry form shall have no right to receive the Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Director of Finance may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit
withdrawal of the Notes from the Depository, and shall cause the Notes in bearer or payable to order form to be signed by the officers authorized to sign the Notes and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Director of Finance is also hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the book entry system for the Notes, after determining that the signing thereof will not endanger the funds or securities of the City.

SECTION 6. Award and Sale of the Notes. The Notes shall be sold at not less than par at private sale by the Director of Finance to the original purchaser designated by the Director of Finance in the Certificate of Award (the Original Purchaser) in accordance with law and the provisions of this Ordinance. The Director of Finance shall sign the Certificate of Award referred to in Section 3 evidencing that sale to the Original Purchaser, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. The Mayor, the Director of Finance, the Director of Law, the Clerk of Council and other City officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance. The Director of Finance is authorized, if it is determined to be in the best interest of the City, to combine the issue of Notes with one or more other note issues of the City into a consolidated note issue pursuant to Section 133.30(B) of the Revised Code.

The Director of Finance is authorized to request a rating for the Notes from one or more nationally-recognized rating agencies in connection with the sale and issuance of the Notes. The expenditure of the amounts necessary to secure those rating(s) and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Notes is authorized and approved, and the Director of Finance is authorized to provide for the payment of any such amounts and costs from the proceeds of the Notes to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

SECTION 7. Application of Note Proceeds. The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

SECTION 8. Application and Pledge of Bond or Renewal Note Proceeds or Excess Funds. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.
SECTION 9. Provisions for Tax Levy. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the City, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or the Bonds when and as the same fall due. In each year, to the extent other funds are available for the payment of the debt charges on the Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of the money so available and appropriated.

SECTION 10. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code) or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon will not be treated as a preference item under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation (including specifically designation or treatment of the Notes as “qualified tax-exempt obligations” if such designation or treatment is applicable and desirable, and to make any related necessary representations and covenants), choice, consent, approval, or waiver on behalf of the City with respect to the Notes as the City is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments of penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure
the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes.

Each covenant made in this section with respect to the Notes is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Notes (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Notes from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this section to take with respect to the Notes.

SECTION 11. Certification and Delivery of Ordinance. The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Ordinance to the Cuyahoga County Fiscal Officer.

SECTION 11. Retention of Bond Counsel. The legal services of Squire Patton Boggs (US) LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Notes and the rendering of the necessary legal opinion upon the delivery of the Notes. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services. The Director of Finance is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

SECTION 12. Satisfaction of Conditions for Note Issuance. This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the City are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

SECTION 13. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken in open meetings of this Council or committees,
and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

SECTION 14. Captions and Headings. The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

SECTION 15. Declaration of Emergency; Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective so that the Notes can be delivered at the earliest possible date, which is necessary to enable the City to retire the Outstanding Notes and thereby preserve its credit; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ __, 2017

/s/ Dwight Clark  
PRESIDENT OF COUNCIL

/s/ Joan T. Kemper  
CLERK OF COUNCIL

APPROVED: _____ __, 2017

/s/ Paul A. Koomar  
MAYOR

I, Joan T. Kemper, Clerk of Council of the City of Bay Village, Ohio, hereby certify the foregoing to be a true copy of Ordinance No. 17-______, passed by the Council of the City of Bay Village on ________ __, 2017, and now on file in the office of the Clerk of Council.
FISCAL OFFICER'S CERTIFICATE

TO THE COUNCIL OF THE CITY OF BAY VILLAGE, OHIO:

As fiscal officer of the City of Bay Village, Ohio, I certify in connection with your proposed issue of $550,000 of notes (the Notes), to be issued in anticipation of the issuance of bonds (the Bonds), for the purpose of paying costs of improving streets by resurfacing, paving and making other improvements as designated in the plans approved or to be approved by Council (the improvement), that:

1. The estimated life or period of usefulness of the improvement is at least five years.

2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is 15 years, being my estimate of the life or period of usefulness of the improvement. If notes in anticipation of the Bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original issue of notes, the period in excess of those five years shall be deducted from that maximum maturity of the Bonds.

3. The maximum maturity of the Notes is 240 months from their date of issuance.

Dated: May 1, 2017

[Signature]
Director of Finance
City of Bay Village, Ohio
AN ORDINANCE

PROVIDING FOR THE ISSUANCE AND SALE OF $550,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF IMPROVING STREETS BY RESURFACING, PAVING AND MAKING OTHER IMPROVEMENTS AS DESIGNATED IN THE PLANS APPROVED OR TO BE APPROVED BY COUNCIL, AND DECLARING AN EMERGENCY.

WHEREAS, the Director of Finance, as fiscal officer of the City, has certified to this Council that the estimated life or period of usefulness of the improvement described in Section 1 is at least five years, the estimated maximum maturity of the Bonds described in Section 1 is 15 years, and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the Bonds, is 240 months from their date of issuance;

NOW, THEREFORE, BE IT ORDEIGNED by the Council of the City of Bay Village, County of Cuyahoga, Ohio, that:

SECTION 1. Authorized Principal Amount and Purpose of Anticipated Bonds. It is necessary to issue bonds of the City in the aggregate principal amount of $550,000 (the Bonds) for the purpose of paying costs of improving streets by resurfacing, paving and making other improvements as designated in the plans approved or to be approved by Council.

SECTION 2. Estimated Bond Terms. The Bonds shall be dated approximately May 1, 2018, shall bear interest at the now estimated rate of 5% per year, payable semiannually until the principal amount is paid, and are estimated to mature in 15 annual principal installments on December 1 of each year that are substantially equal. The first interest payment on the Bonds is estimated to be December 1, 2018, and the first principal payment of the Bonds is estimated to be December 1, 2019.

SECTION 3. Authorized Principal Amount of Notes; Note Terms. It is necessary to issue and this Council determines that notes in the aggregate principal amount of $550,000 (the Notes) shall be issued in anticipation of the issuance of the Bonds. The Notes shall be dated the date of issuance and shall mature one year from the date of issuance; provided that the Director of Finance may, if it is determined to be necessary or advisable to the sale of the Notes, establish a maturity date that is any date up to one year from the date of issuance by setting forth that maturity date in the certificate signed in accordance with Section 6 (the Certificate of Award). The Notes shall bear interest at a rate not to exceed 4% per year (computed on the basis of a 360-day year consisting of 12 30-day months), payable at maturity and until the principal amount is paid or payment is provided for. The rate of interest on the Notes shall be determined by the Director of Finance in the Certificate of Award.
SECTION 4. Payment of Debt Charges; Paying Agent. The debt charges on the Notes shall be payable in Federal Reserve funds of the United States of America and shall be payable, without deduction for services of the City’s paying agent, at the designated corporate trust office of The Huntington National Bank, or at the principal corporate trust or other office of a bank or trust company designated by the Director of Finance in the Certificate of Award after determining that the payment at that bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose, or at the office of the Director of Finance if agreed to by the Director of Finance and the Original Purchaser (as defined in Section 6) (the Paying Agent).

SECTION 5. Form and Execution of Notes; Book Entry System. The Notes shall be signed by the Mayor and the Director of Finance, in the name of the City and in their official capacities, provided that one of those signatures may be a facsimile. The Notes shall be issued in the denominations and numbers as requested by the Original Purchaser and approved by the Director of Finance in the Certificate of Award. The entire principal amount may be represented by a single note and may be issued as fully registered securities (for which the Director of Finance will serve as note registrar) and in book entry or other uncertificated form in accordance with Section 9.96 and Chapter 133 of the Revised Code if it is determined by the Director of Finance that issuance of fully registered securities in that form will facilitate the sale and delivery of the Notes. The Notes shall not have coupons attached, shall be numbered as determined by the Director of Finance and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Ordinance. As used in this Section and this Ordinance:

"Book entry form" or "book entry system" means a form or system under which (i) the ownership of beneficial interests in the Notes and the principal of, and interest on, the Notes may be transferred only through a book entry, and (ii) a single physical Note certificate is issued by the City and payable only to a Depository or its nominee, with such Notes "immobilized" in the custody of the Depository or its agent for that purpose. The book entry maintained by others than the City is the record that identifies the owners of beneficial interests in the Notes and that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in the Notes or the principal of, and interest on, the Notes and to effect transfers of the Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single Note made payable to the Depository or its nominee and immobilized in the custody of the Depository or its agent for that purpose; (ii) the beneficial owners in book entry form shall have no right to receive the Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in
book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Director of Finance may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and shall cause the Notes in bearer or payable to order form to be signed by the officers authorized to sign the Notes and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Director of Finance is also hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the book entry system for the Notes, after determining that the signing thereof will not endanger the funds or securities of the City.

SECTION 6. Award and Sale of the Notes. The Notes shall be sold at not less than par at private sale by the Director of Finance to the original purchaser designated by the Director of Finance in the Certificate of Award (the Original Purchaser) in accordance with law and the provisions of this Ordinance. The Director of Finance shall sign the Certificate of Award referred to in Section 3 evidencing that sale to the Original Purchaser, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. The Mayor, the Director of Finance, the Director of Law, the Clerk of Council and other City officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance. The Director of Finance is authorized, if it is determined to be in the best interest of the City, to combine the issue of Notes with one or more other note issues of the City into a consolidated note issue pursuant to Section 133.30(B) of the Revised Code.

The Director of Finance is authorized to request a rating for the Notes from one or more nationally-recognized rating agencies in connection with the sale and issuance of the Notes. The expenditure of the amounts necessary to secure those rating(s) and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Notes is authorized and approved, and the Director of Finance is authorized to provide for the payment of any such amounts and costs from the proceeds of the Notes to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

SECTION 7. Application of Note Proceeds. The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds and those
proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

**SECTION 8. Application and Pledge of Bond or Renewal Note Proceeds or Excess Funds.** The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

**SECTION 9. Provisions for Tax Levy.** During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the City, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or the Bonds when and as the same fall due. In each year, to the extent other funds are available for the payment of the debt charges on the Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of the money so available and appropriated.

**SECTION 10. Federal Tax Considerations.** The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code) or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon will not be treated as a preference item under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation (including specifically designation of the Notes as “qualified tax-exempt obligations” if such designation is applicable and desirable, and to make any related necessary representations and covenants), choice, consent, approval, or waiver on behalf of the City with respect to the Notes as the City is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for or available under
Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments of penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes.

SECTION 11. Certification and Delivery of Ordinance. The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Ordinance to the Cuyahoga County Fiscal Officer.

SECTION 11. Retention of Bond Counsel. The legal services of Squire Patton Boggs (US) LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Notes and the rendering of the necessary legal opinion upon the delivery of the Notes. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services. The Director of Finance is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

SECTION 12. Satisfaction of Conditions for Note Issuance. This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the City are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

SECTION 13. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken in open meetings of this Council or committees,
and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

**SECTION 14. Captions and Headings.** The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

**SECTION 15. Declaration of Emergency: Effective Date.** This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Notes, which is necessary to enable the City to enter into contracts for the improvement which is needed to eliminate existing and potential hazards to vehicular and pedestrian traffic in the City; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: ________, 2017  
/s/ Dwight Clark  
PRESIDENT OF COUNCIL

/s/ Joan T. Kemper  
CLERK OF COUNCIL

APPROVED: ________, 2017  
/s/ Paul A. Koomar  
MAYOR

I, Joan T. Kemper, Clerk of Council of the City of Bay Village, Ohio, hereby certify the foregoing to be a true copy of Ordinance No. 17-______, passed by the Council of the City of Bay Village on ________, 2017, and now on file in the office of the Clerk of Council.

______________________________
Clerk of Council
FISCAL OFFICER'S CERTIFICATE

TO THE COUNCIL OF THE CITY OF BAY VILLAGE, OHIO:

As fiscal officer of the City of Bay Village, Ohio, I certify in connection with your proposed issue of $104,500 of notes (the Notes), to be issued in anticipation of the issuance of bonds (the Bonds), for the purpose of paying costs of acquiring motor vehicles and equipment for use in performing the functions of the City's Police Department, together with all necessary appurtenances thereto (the improvement), that:

1. The estimated life or period of usefulness of the improvement is at least five years.

2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is five years. That maximum maturity is based on my calculation of the average number of years of life or period of usefulness of the improvement as measured by the weighted average of the amounts proposed to be expended for the several classes of the improvement as follows: (i) $14,500 for equipment, 10 years, and $90,000 for motor vehicles, five years; the weighted average is therefore five years. If notes in anticipation of the Bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original issue of notes, the period in excess of those five years shall be deducted from that maximum maturity of the Bonds.

3. The maximum maturity of the Notes is 10 years from their date of issuance.

Dated: May 1, 2017

[Signature]
Director of Finance
City of Bay Village, Ohio
AN ORDINANCE

PROVIDING FOR THE ISSUANCE AND SALE OF $104,500 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF ACQUIRING MOTOR VEHICLES AND EQUIPMENT FOR USE IN PERFORMING THE FUNCTIONS OF THE CITY'S POLICE DEPARTMENT, AND DECLARING AN EMERGENCY.

WHEREAS, the Director of Finance, as fiscal officer of the City, has certified to this Council that the estimated life or period of usefulness of the improvement described in Section 1 is at least five years, the estimated maximum maturity of the Bonds described in Section 1 is five years, and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the Bonds, is 10 years from their date of issuance;

NOW, THEREFORE, BE IT ORDEIGNED by the Council of the City of Bay Village, County of Cuyahoga, Ohio, that:

SECTION 1. Authorized Principal Amount and Purpose of Anticipated Bonds. It is necessary to issue bonds of the City in the aggregate principal amount of $104,500 (the Bonds) for the purpose of paying costs of acquiring motor vehicles and equipment for use in performing the functions of the City's Police Department, together with all necessary appurtenances thereto.

SECTION 2. Estimated Bond Terms. The Bonds shall be dated approximately May 1, 2018, shall bear interest at the now estimated rate of 4% per year, payable semiannually until the principal amount is paid, and are estimated to mature in five annual principal installments on December 1 of each year that are substantially equal. The first interest payment on the Bonds is estimated to be December 1, 2018, and the first principal payment of the Bonds is estimated to be December 1, 2019.

SECTION 3. Authorized Principal Amount of Notes; Note Terms. It is necessary to issue and this Council determines that notes in the aggregate principal amount of $104,500 (the Notes) shall be issued in anticipation of the issuance of the Bonds. The Notes shall be dated the date of issuance and shall mature one year from the date of issuance; provided that the Director of Finance may, if it is determined to be necessary or advisable to the sale of the Notes, establish a maturity date that is any date up to one year from the date of issuance by setting forth that maturity date in the certificate signed in accordance with Section 6 (the Certificate of Award). The Notes shall bear interest at a rate not to exceed 4% per year (computed on the basis of a 360-day year consisting of 12 30-day months), payable at maturity and until the principal amount is paid or payment is provided for. The rate of interest on the Notes shall be determined by the Director of Finance in the Certificate of Award.
SECTION 4. Payment of Debt Charges; Paying Agent. The debt charges on the Notes shall be payable in Federal Reserve funds of the United States of America and shall be payable, without deduction for services of the City’s paying agent, at the designated corporate trust office of The Huntington National Bank, or at the principal corporate trust or other office of a bank or trust company designated by the Director of Finance in the Certificate of Award after determining that the payment at that bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose, or at the office of the Director of Finance if agreed to by the Director of Finance and the Original Purchaser (as defined in Section 6) (the Paying Agent).

SECTION 5. Form and Execution of Notes; Book Entry System. The Notes shall be signed by the Mayor and the Director of Finance, in the name of the City and in their official capacities, provided that one of those signatures may be a facsimile. The Notes shall be issued in the denominations and numbers as requested by the Original Purchaser and approved by the Director of Finance in the Certificate of Award. The entire principal amount may be represented by a single note and may be issued as fully registered securities (for which the Director of Finance will serve as note registrar) and in book entry or other uncertificated form in accordance with Section 9.96 and Chapter 133 of the Revised Code if it is determined by the Director of Finance that issuance of fully registered securities in that form will facilitate the sale and delivery of the Notes. The Notes shall not have coupons attached, shall be numbered as determined by the Director of Finance and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Ordinance. As used in this Section and this Ordinance:

“Book entry form” or “book entry system” means a form or system under which (i) the ownership of beneficial interests in the Notes and the principal of, and interest on, the Notes may be transferred only through a book entry, and (ii) a single physical Note certificate is issued by the City and payable only to a Depository or its nominee, with such Notes “immobilized” in the custody of the Depository or its agent for that purpose. The book entry maintained by others than the City is the record that identifies the owners of beneficial interests in the Notes and that principal and interest.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in the Notes or the principal of, and interest on, the Notes and to effect transfers of the Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Participant” means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single Note made payable to the Depository or its nominee and immobilized in the custody of the Depository or its agent for that purpose; (ii) the beneficial owners in book entry form shall have no right to receive the Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in
book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Director of Finance may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and shall cause the Notes in bearer or payable to order form to be signed by the officers authorized to sign the Notes and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Director of Finance is also hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the book entry system for the Notes, after determining that the signing thereof will not endanger the funds or securities of the City.

SECTION 6. Award and Sale of the Notes. The Notes shall be sold at not less than par at private sale by the Director of Finance to the original purchaser designated by the Director of Finance in the Certificate of Award (the Original Purchaser) in accordance with law and the provisions of this Ordinance. The Director of Finance shall sign the Certificate of Award referred to in Section 3 evidencing that sale to the Original Purchaser, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. The Mayor, the Director of Finance, the Director of Law, the Clerk of Council and other City officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance. The Director of Finance is authorized, if it is determined to be in the best interest of the City, to combine the issue of Notes with one or more other note issues of the City into a consolidated note issue pursuant to Section 133.30(B) of the Revised Code.

The Director of Finance is authorized to request a rating for the Notes from one or more nationally-recognized rating agencies in connection with the sale and issuance of the Notes. The expenditure of the amounts necessary to secure those rating(s) and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Notes is authorized and approved, and the Director of Finance is authorized to provide for the payment of any such amounts and costs from the proceeds of the Notes to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

SECTION 7. Application of Note Proceeds. The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds and those
proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

SECTION 8. Application and Pledge of Bond or Renewal Note Proceeds or Excess Funds. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

SECTION 9. Provisions for Tax Levy. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the City, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or the Bonds when and as the same fall due. In each year, to the extent other funds are available for the payment of the debt charges on the Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of the money so available and appropriated.

SECTION 10. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code) or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon will not be treated as a preference item under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation (including specifically designation of the Notes as “qualified tax-exempt obligations” if such designation is applicable and desirable, and to make any related necessary representations and covenants), choice, consent, approval, or waiver on behalf of the City with respect to the Notes as the City is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for or available under
Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments of penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes.

SECTION 11. Certification and Delivery of Ordinance. The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Ordinance to the Cuyahoga County Fiscal Officer.

SECTION 11. Retention of Bond Counsel. The legal services of Squire Patton Boggs (US) LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Notes and the rendering of the necessary legal opinion upon the delivery of the Notes. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services. The Director of Finance is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

SECTION 12. Satisfaction of Conditions for Note Issuance. This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the City are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

SECTION 13. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken in open meetings of this Council or committees,
and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

**SECTION 14. Captions and Headings.** The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

**SECTION 15. Declaration of Emergency; Effective Date.** This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Notes, which is necessary to enable the City to enter into contracts for the improvement which is needed to timely and efficiently provide municipal police services to City residents and thereby better maintain order and safety in the City; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: ________ __, 2017

/s/ Dwight Clark

PRESIDENT OF COUNCIL

/s/ Joan T. Kemper

CLERK OF COUNCIL

APPROVED: ________ __, 2017

/s/ Paul A. Koomar

MAYOR

I, Joan T. Kemper, Clerk of Council of the City of Bay Village, Ohio, hereby certify the foregoing to be a true copy of Ordinance No. 17-_____, passed by the Council of the City of Bay Village on _________ __, 2017, and now on file in the office of the Clerk of Council.

Clerk of Council
FISCAL OFFICER'S CERTIFICATE

TO THE COUNCIL OF THE CITY OF BAY VILLAGE, OHIO:

As fiscal officer of the City of Bay Village, Ohio, I certify in connection with your proposed issue of $414,000 of notes (the Notes), to be issued in anticipation of the issuance of bonds (the Bonds), for the purpose of paying costs of acquiring motor vehicles and equipment for use in performing the functions of the City's Department of Public Services and Properties, together with all necessary appurtenances thereto (the improvement), that:

1. The estimated life or period of usefulness of the improvement is at least five years.

2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is 10 years, being my estimate of the life or period of usefulness of the improvement. If notes in anticipation of the Bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original issue of notes, the period in excess of those five years shall be deducted from that maximum maturity of the Bonds.

3. The maximum maturity of the Notes is 15 years from their date of issuance.

Dated: May 1, 2017

[Signature]
Director of Finance
City of Bay Village, Ohio
AN ORDINANCE

PROVIDING FOR THE ISSUANCE AND SALE OF $414,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF ACQUIRING MOTOR VEHICLES AND EQUIPMENT FOR USE IN PERFORMING THE FUNCTIONS OF THE CITY'S DEPARTMENT OF PUBLIC SERVICES AND PROPERTIES, AND DECLARING AN EMERGENCY.

WHEREAS, the Director of Finance, as fiscal officer of the City, has certified to this Council that the estimated life or period of usefulness of the improvement described in Section 1 is at least five years, the estimated maximum maturity of the Bonds described in Section 1 is 10 years, and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the Bonds, is 15 years from their date of issuance;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Bay Village, County of Cuyahoga, Ohio, that:

SECTION 1. Authorized Principal Amount and Purpose of Anticipated Bonds. It is necessary to issue bonds of the City in the aggregate principal amount of $414,000 (the Bonds) for the purpose of paying costs of acquiring motor vehicles and equipment for use in performing the functions of the City’s Department of Public Services and Properties, together with all necessary appurtenances thereto.

SECTION 2. Estimated Bond Terms. The Bonds shall be dated approximately May 1, 2018, shall bear interest at the now estimated rate of 5% per year, payable semiannually until the principal amount is paid, and are estimated to mature in 10 annual principal installments on December 1 of each year that are substantially equal. The first interest payment on the Bonds is estimated to be December 1, 2018, and the first principal payment of the Bonds is estimated to be December 1, 2019.

SECTION 3. Authorized Principal Amount of Notes: Note Terms. It is necessary to issue and this Council determines that notes in the aggregate principal amount of $414,000 (the Notes) shall be issued in anticipation of the issuance of the Bonds. The Notes shall be dated the date of issuance and shall mature one year from the date of issuance; provided that the Director of Finance may, if it is determined to be necessary or advisable to the sale of the Notes, establish a maturity date that is any date up to one year from the date of issuance by setting forth that maturity date in the certificate signed in accordance with Section 6 (the Certificate of Award). The Notes shall bear interest at a rate not to exceed 4% per year (computed on the basis of a 360-day year consisting of 12 30-day months), payable at maturity and until the principal amount is paid or payment is provided for. The rate of interest on the Notes shall be determined by the Director of Finance in the Certificate of Award.
SECTION 4. Payment of Debt Charges; Paying Agent. The debt charges on the Notes shall be payable in Federal Reserve funds of the United States of America and shall be payable, without deduction for services of the City’s paying agent, at the designated corporate trust office of The Huntington National Bank, or at the principal corporate trust or other office of a bank or trust company designated by the Director of Finance in the Certificate of Award after determining that the payment at that bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose, or at the office of the Director of Finance if agreed to by the Director of Finance and the Original Purchaser (as defined in Section 6) (the Paying Agent).

SECTION 5. Form and Execution of Notes; Book Entry System. The Notes shall be signed by the Mayor and the Director of Finance, in the name of the City and in their official capacities, provided that one of those signatures may be a facsimile. The Notes shall be issued in the denominations and numbers as requested by the Original Purchaser and approved by the Director of Finance in the Certificate of Award. The entire principal amount may be represented by a single note and may be issued as fully registered securities (for which the Director of Finance will serve as note registrar) and in book entry or other uncertificated form in accordance with Section 9.96 and Chapter 133 of the Revised Code if it is determined by the Director of Finance that issuance of fully registered securities in that form will facilitate the sale and delivery of the Notes. The Notes shall not have coupons attached, shall be numbered as determined by the Director of Finance and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Ordinance. As used in this Section and this Ordinance:

"Book entry form" or "book entry system" means a form or system under which (i) the ownership of beneficial interests in the Notes and the principal of, and interest on, the Notes may be transferred only through a book entry, and (ii) a single physical Note certificate is issued by the City and payable only to a Depository or its nominee, with such Notes "immobilized" in the custody of the Depository or its agent for that purpose. The book entry maintained by others than the City is the record that identifies the owners of beneficial interests in the Notes and that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in the Notes or the principal of, and interest on, the Notes and to effect transfers of the Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single Note made payable to the Depository or its nominee and immobilized in the custody of the Depository or its agent for that purpose; (ii) the beneficial owners in book entry form shall have no right to receive
the Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Director of Finance may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and shall cause the Notes in bearer or payable to order form to be signed by the officers authorized to sign the Notes and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Director of Finance is also hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the book entry system for the Notes, after determining that the signing thereof will not endanger the funds or securities of the City.

SECTION 6. Award and Sale of the Notes. The Notes shall be sold at not less than par at private sale by the Director of Finance to the original purchaser designated by the Director of Finance in the Certificate of Award (the Original Purchaser) in accordance with law and the provisions of this Ordinance. The Director of Finance shall sign the Certificate of Award referred to in Section 3 evidencing that sale to the Original Purchaser, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. The Mayor, the Director of Finance, the Director of Law, the Clerk of Council and other City officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance. The Director of Finance is authorized, if it is determined to be in the best interest of the City, to combine the issue of Notes with one or more other note issues of the City into a consolidated note issue pursuant to Section 133.30(B) of the Revised Code.

The Director of Finance is authorized to request a rating for the Notes from one or more nationally-recognized rating agencies in connection with the sale and issuance of the Notes. The expenditure of the amounts necessary to secure those rating(s) and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Notes is authorized and approved, and the Director of Finance is authorized to provide for the payment of any such amounts and costs from the proceeds of the Notes to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.
SECTION 7. Application of Note Proceeds. The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

SECTION 8. Application and Pledge of Bond or Renewal Note Proceeds or Excess Funds. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

SECTION 9. Provisions for Tax Levy. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the City, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. The tax shall be within the ten-mill limitation imposed by law, shall be and is orderedcomputed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or the Bonds when and as the same fall due. In each year, to the extent other funds are available for the payment of the debt charges on the Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of the money so available and appropriated.

SECTION 10. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code) or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon will not be treated as a preference item under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation (including specifically designation of the Notes as "qualified tax-exempt obligations" if such designation is applicable and desirable, and to make any related necessary representations and covenants), choice, consent, approval, or waiver on behalf of the City with
respect to the Notes as the City is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments of penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes.

SECTION 11. Certification and Delivery of Ordinance. The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Ordinance to the Cuyahoga County Fiscal Officer.

SECTION 11. Retention of Bond Counsel. The legal services of Squire Patton Boggs (US) LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Notes and the rendering of the necessary legal opinion upon the delivery of the Notes. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services. The Director of Finance is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

SECTION 12. Satisfaction of Conditions for Note Issuance. This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the City are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.
SECTION 13. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken in open meetings of this Council or committees, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

SECTION 14. Captions and Headings. The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

SECTION 15. Declaration of Emergency; Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Notes, which is necessary to enable the City to enter into contracts for the improvement which is needed to provide for the efficient and safe administration of the functions of the City's Department of Public Services and Properties; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: ________, 2017

/s/ Dwight Clark
PRESIDENT OF COUNCIL

/s/ Joan T. Kemper
CLERK OF COUNCIL

APPROVED: ________, 2017

/s/ Paul A. Koomar
MAYOR

I, Joan T. Kemper, Clerk of Council of the City of Bay Village, Ohio, hereby certify the foregoing to be a true copy of Ordinance No. 17-_______, passed by the Council of the City of Bay Village on ________, 2017, and now on file in the office of the Clerk of Council.
FISCAL OFFICER’S CERTIFICATE

TO THE COUNCIL OF THE CITY OF BAY VILLAGE, OHIO:

As fiscal officer of the City of Bay Village, Ohio, I certify in connection with your proposed issue of $28,000 of notes (the Notes), to be issued in anticipation of the issuance of bonds (the Bonds), for the purpose of paying costs of improving HVAC and lighting facilities at City Hall, together with the necessary appurtenances thereto (the improvement), that:

1. The estimated life or period of usefulness of the improvement is at least five years.

2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is 20 years, being my estimate of the life or period of usefulness of that improvement. If and to the extent a portion of the proceeds of the Bonds may be determined to be allocated to a class or classes having a maximum maturity of less than 20 years but in excess of five years, then the maximum maturity of the Bonds would still be at least 20 years by reason of a sufficient portion of the proceeds of the Bonds allocated to a class or classes having a maximum maturity or an estimated period of usefulness in excess of 20 years. If notes in anticipation of the Bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original issue of notes, the period in excess of those five years shall be deducted from that maximum maturity of the Bonds.

3. The maximum maturity of the Notes is 240 months from their date of issuance.

Dated: May 1, 2017

[Signature]

Director of Finance
City of Bay Village, Ohio
AN ORDINANCE

PROVIDING FOR THE ISSUANCE AND SALE OF $28,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF IMPROVING HVAC AND LIGHTING FACILITIES AT CITY HALL, AND DECLARING AN EMERGENCY.

WHEREAS, the Director of Finance, as fiscal officer of the City, has certified to this Council that the estimated life or period of usefulness of the improvement described in Section 1 is at least five years, the estimated maximum maturity of the Bonds described in Section 1 is 20 years, and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the Bonds, is 240 months from their date of issuance;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Bay Village, County of Cuyahoga, Ohio, that:

SECTION 1. Authorized Principal Amount and Purpose of Anticipated Bonds. It is necessary to issue bonds of the City in the aggregate principal amount of $28,000 (the Bonds) for the purpose of paying costs of improving HVAC and lighting facilities at City Hall, together with the necessary appurtenances thereto.

SECTION 2. Estimated Bond Terms. The Bonds shall be dated approximately May 1, 2018, shall bear interest at the now estimated rate of 5% per year, payable semiannually until the principal amount is paid, and are estimated to mature in 20 annual principal installments on December 1 of each year that are substantially equal. The first interest payment on the Bonds is estimated to be December 1, 2018, and the first principal payment of the Bonds is estimated to be December 1, 2019.

SECTION 3. Authorized Principal Amount of Notes; Note Terms. It is necessary to issue and this Council determines that notes in the aggregate principal amount of $28,000 (the Notes) shall be issued in anticipation of the issuance of the Bonds. The Notes shall be dated the date of issuance and shall mature one year from the date of issuance; provided that the Director of Finance may, if it is determined to be necessary or advisable to the sale of the Notes, establish a maturity date that is any date up to one year from the date of issuance by setting forth that maturity date in the certificate signed in accordance with Section 6 (the Certificate of Award). The Notes shall bear interest at a rate not to exceed 4% per year (computed on the basis of a 360-day year consisting of 12 30-day months), payable at maturity and until the principal amount is paid or payment is provided for. The rate of interest on the Notes shall be determined by the Director of Finance in the Certificate of Award.

SECTION 4. Payment of Debt Charges; Paying Agent. The debt charges on the Notes shall be payable in Federal Reserve funds of the United States of America and shall be payable,
without deduction for services of the City’s paying agent, at the designated corporate trust office of
The Huntington National Bank, or at the principal corporate trust or other office of a bank or trust
company designated by the Director of Finance in the Certificate of Award after determining that
the payment at that bank or trust company will not endanger the funds or securities of the City and
that proper procedures and safeguards are available for that purpose, or at the office of the Director
of Finance if agreed to by the Director of Finance and the Original Purchaser (as defined in Section
6) (the Paying Agent).

SECTION 5. Form and Execution of Notes; Book Entry System. The Notes shall be
signed by the Mayor and the Director of Finance, in the name of the City and in their official
capacities, provided that one of those signatures may be a facsimile. The Notes shall be issued in
the denominations and numbers as requested by the Original Purchaser and approved by the
Director of Finance in the Certificate of Award. The entire principal amount may be represented by
a single note and may be issued as fully registered securities (for which the Director of Finance will
serve as note registrar) and in book entry or other uncertificated form in accordance with Section
9.96 and Chapter 133 of the Revised Code if it is determined by the Director of Finance that
issuance of fully registered securities in that form will facilitate the sale and delivery of the Notes.
The Notes shall not have coupons attached, shall be numbered as determined by the Director of
Finance and shall express upon their faces the purpose, in summary terms, for which they are issued
and that they are issued pursuant to this Ordinance. As used in this Section and this Ordinance:

“Book entry form” or “book entry system” means a form or system under which (i) the
ownership of beneficial interests in the Notes and the principal of, and interest on, the Notes may be
transferred only through a book entry, and (ii) a single physical Note certificate is issued by the City
and payable only to a Depository or its nominee, with such Notes “immobilized” in the custody of
the Depository or its agent for that purpose. The book entry maintained by others than the City is
the record that identifies the owners of beneficial interests in the Notes and that principal and
interest.

“Depository” means any securities depository that is a clearing agency under federal law
operating and maintaining, with its Participants or otherwise, a book entry system to record
ownership of beneficial interests in the Notes or the principal of, and interest on, the Notes and to
effect transfers of the Notes, in book entry form, and includes and means initially The Depository
Trust Company (a limited purpose trust company), New York, New York.

“Participant” means any participant contracting with a Depository under a book entry
system and includes security brokers and dealers, banks and trust companies, and clearing
 corporations.

The Notes may be issued to a Depository for use in a book entry system and, if and as long
as a book entry system is utilized, (i) the Notes may be issued in the form of a single Note made
payable to the Depository or its nominee and immobilized in the custody of the Depository or its
agent for that purpose; (ii) the beneficial owners in book entry form shall have no right to receive
the Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in
book entry form shall be shown by book entry on the system maintained and operated by the
Depository and its Participants, and transfers of the ownership of beneficial interests shall be made
only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Director of Finance may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and shall cause the Notes in bearer or payable to order form to be signed by the officers authorized to sign the Notes and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Director of Finance is also hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the book entry system for the Notes, after determining that the signing thereof will not endanger the funds or securities of the City.

SECTION 6. Award and Sale of the Notes. The Notes shall be sold at not less than par at private sale by the Director of Finance to the original purchaser designated by the Director of Finance in the Certificate of Award (the Original Purchaser) in accordance with law and the provisions of this Ordinance. The Director of Finance shall sign the Certificate of Award referred to in Section 3 evidencing that sale to the Original Purchaser, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. The Mayor, the Director of Finance, the Director of Law, the Clerk of Council and other City officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance. The Director of Finance is authorized, if it is determined to be in the best interest of the City, to combine the issue of Notes with one or more other note issues of the City into a consolidated note issue pursuant to Section 133.30(B) of the Revised Code.

The Director of Finance is authorized to request a rating for the Notes from one or more nationally-recognized rating agencies in connection with the sale and issuance of the Notes. The expenditure of the amounts necessary to secure those rating(s) and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Notes is authorized and approved, and the Director of Finance is authorized to provide for the payment of any such amounts and costs from the proceeds of the Notes to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

SECTION 7. Application of Note Proceeds. The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued.
Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

SECTION 8. Application and Pledge of Bond or Renewal Note Proceeds or Excess Funds. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

SECTION 9. Provisions for Tax Levy. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the City, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or the Bonds when and as the same fall due. In each year, to the extent other funds are available for the payment of the debt charges on the Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of the money so available and appropriated.

SECTION 10. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code) or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon will not be treated as a preference item under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation (including specifically designation of the Notes as "qualified tax-exempt obligations" if such designation is applicable and desirable, and to make any related necessary representations and covenants), choice, consent, approval, or waiver on behalf of the City with respect to the Notes as the City is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax
treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments of penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes.

SECTION 11. Certification and Delivery of Ordinance. The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Ordinance to the Cuyahoga County Fiscal Officer.

SECTION 11. Retention of Bond Counsel. The legal services of Squire Patton Boggs (US) LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Notes and the rendering of the necessary legal opinion upon the delivery of the Notes. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services. The Director of Finance is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

SECTION 12. Satisfaction of Conditions for Note Issuance. This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the City are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

SECTION 13. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken in open meetings of this Council or committees,
and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

SECTION 14. Captions and Headings. The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

SECTION 15. Declaration of Emergency; Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Notes, which is necessary to enable the City to enter into contracts for the improvement which is needed to provide for the efficient and safe administration of the government of the City; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: ________, 2017

/s/ Dwight Clark
PRESIDENT OF COUNCIL

/s/ Joan T. Kemper
CLERK OF COUNCIL

APPROVED: ________, 2017

/s/ Paul A. Koomar
MAYOR

I, Joan T. Kemper, Clerk of Council of the City of Bay Village, Ohio, hereby certify the foregoing to be a true copy of Ordinance No. 17-______, passed by the Council of the City of Bay Village on ________, 2017, and now on file in the office of the Clerk of Council.

Clerk of Council
FISCAL OFFICER'S CERTIFICATE

TO THE COUNCIL OF THE CITY OF BAY VILLAGE, OHIO:

As fiscal officer of the City of Bay Village, Ohio, I certify in connection with your proposed issue of $8,500 of notes (the Notes), to be issued in anticipation of the issuance of bonds (the Bonds), for the purpose of paying costs of improving the City’s Community House by installing an ADA-compliant ramp, together with the necessary appurtenances thereto (the improvement), that:

1. The estimated life or period of usefulness of the improvement is at least five years.

2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is 20 years, being my estimate of the life or period of usefulness of that improvement. If and to the extent a portion of the proceeds of the Bonds may be determined to be allocated to a class or classes having a maximum maturity of less than 20 years but in excess of five years, then the maximum maturity of the Bonds would still be at least 20 years by reason of a sufficient portion of the proceeds of the Bonds allocated to a class or classes having a maximum maturity or an estimated period of usefulness in excess of 20 years. If notes in anticipation of the Bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original issue of notes, the period in excess of those five years shall be deducted from that maximum maturity of the Bonds.

3. The maximum maturity of the Notes is 240 months from their date of issuance.

Dated: May 1, 2017

Director of Finance
City of Bay Village, Ohio
ORDINANCE NO.: 17-____
INTRODUCED BY: ______________

AN ORDINANCE
PROVIDING FOR THE ISSUANCE AND SALE OF $8,500 OF NOTES, IN
ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF
PAYING COSTS OF IMPROVING THE CITY’S COMMUNITY HOUSE
BY INSTALLING AN ADA-COMPLIANT RAMP, AND DECLARING AN
EMERGENCY.

WHEREAS, the Director of Finance, as fiscal officer of the City, has certified to this
Council that the estimated life or period of usefulness of the improvement described in Section 1 is
at least five years, the estimated maximum maturity of the Bonds described in Section 1 is 20 years,
and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the
Bonds, is 240 months from their date of issuance;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Bay Village,
County of Cuyahoga, Ohio, that:

SECTION 1. Authorized Principal Amount and Purpose of Anticipated Bonds. It is
necessary to issue bonds of the City in the aggregate principal amount of $8,500 (the Bonds) for the
purpose of paying costs of improving the City’s Community House by installing an ADA-
compliant ramp, together with the necessary appurtenances thereto.

SECTION 2. Estimated Bond Terms. The Bonds shall be dated approximately May 1,
2018, shall bear interest at the now estimated rate of 5% per year, payable semiannually until the
principal amount is paid, and are estimated to mature in 20 annual principal installments on
December 1 of each year that are substantially equal. The first interest payment on the Bonds is
estimated to be December 1, 2018, and the first principal payment of the Bonds is estimated to be
December 1, 2019.

SECTION 3. Authorized Principal Amount of Notes; Note Terms. It is necessary to
issue and this Council determines that notes in the aggregate principal amount of $8,500 (the Notes)
shall be issued in anticipation of the issuance of the Bonds. The Notes shall be dated the date of
issuance and shall mature one year from the date of issuance; provided that the Director of Finance
may, if it is determined to be necessary or advisable to the sale of the Notes, establish a maturity
date that is any date up to one year from the date of issuance by setting forth that maturity date in
the certificate signed in accordance with Section 6 (the Certificate of Award). The Notes shall bear
interest at a rate not to exceed 4% per year (computed on the basis of a 360-day year consisting of
12 30-day months), payable at maturity and until the principal amount is paid or payment is
provided for. The rate of interest on the Notes shall be determined by the Director of Finance in the
Certificate of Award.
SECTION 4. Payment of Debt Charges; Paying Agent. The debt charges on the Notes shall be payable in Federal Reserve funds of the United States of America and shall be payable, without deduction for services of the City’s paying agent, at the designated corporate trust office of The Huntington National Bank, or at the principal corporate trust or other office of a bank or trust company designated by the Director of Finance in the Certificate of Award after determining that the payment at that bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose, or at the office of the Director of Finance if agreed to by the Director of Finance and the Original Purchaser (as defined in Section 6) (the Paying Agent).

SECTION 5. Form and Execution of Notes; Book Entry System. The Notes shall be signed by the Mayor and the Director of Finance, in the name of the City and in their official capacities, provided that one of those signatures may be a facsimile. The Notes shall be issued in the denominations and numbers as requested by the Original Purchaser and approved by the Director of Finance in the Certificate of Award. The entire principal amount may be represented by a single note and may be issued as fully registered securities (for which the Director of Finance will serve as note registrar) and in book entry or other uncertificated form in accordance with Section 9.96 and Chapter 133 of the Revised Code if it is determined by the Director of Finance that issuance of fully registered securities in that form will facilitate the sale and delivery of the Notes. The Notes shall not have coupons attached, shall be numbered as determined by the Director of Finance and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Ordinance. As used in this Section and this Ordinance:

“Book entry form” or “book entry system” means a form or system under which (i) the ownership of beneficial interests in the Notes and the principal of, and interest on, the Notes may be transferred only through a book entry, and (ii) a single physical Note certificate is issued by the City and payable only to a Depository or its nominee, with such Notes “immobilized” in the custody of the Depository or its agent for that purpose. The book entry maintained by others than the City is the record that identifies the owners of beneficial interests in the Notes and that principal and interest.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in the Notes or the principal of, and interest on, the Notes and to effect transfers of the Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Participant” means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single Note made payable to the Depository or its nominee and immobilized in the custody of the Depository or its agent for that purpose; (ii) the beneficial owners in book entry form shall have no right to receive the Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in
book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Director of Finance may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and shall cause the Notes in bearer or payable to order form to be signed by the officers authorized to sign the Notes and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Director of Finance is also hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the book entry system for the Notes, after determining that the signing thereof will not endanger the funds or securities of the City.

SECTION 6. Award and Sale of the Notes. The Notes shall be sold at not less than par at private sale by the Director of Finance to the original purchaser designated by the Director of Finance in the Certificate of Award (the Original Purchaser) in accordance with law and the provisions of this Ordinance. The Director of Finance shall sign the Certificate of Award referred to in Section 3 evidencing that sale to the Original Purchaser, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. The Mayor, the Director of Finance, the Director of Law, the Clerk of Council and other City officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance. The Director of Finance is authorized, if it is determined to be in the best interest of the City, to combine the issue of Notes with one or more other note issues of the City into a consolidated note issue pursuant to Section 133.30(B) of the Revised Code.

The Director of Finance is authorized to request a rating for the Notes from one or more nationally-recognized rating agencies in connection with the sale and issuance of the Notes. The expenditure of the amounts necessary to secure those rating(s) and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Notes is authorized and approved, and the Director of Finance is authorized to provide for the payment of any such amounts and costs from the proceeds of the Notes to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

SECTION 7. Application of Note Proceeds. The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds and those
proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

SECTION 8. Application and Pledge of Bond or Renewal Note Proceeds or Excess Funds. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

SECTION 9. Provisions for Tax Levy. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the City, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or the Bonds when and as the same fall due. In each year, to the extent other funds are available for the payment of the debt charges on the Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of the money so available and appropriated.

SECTION 10. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code) or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon will not be treated as a preference item under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation (including specifically designation of the Notes as “qualified tax-exempt obligations” if such designation is applicable and desirable, and to make any related necessary representations and covenants), choice, consent, approval, or waiver on behalf of the City with respect to the Notes as the City is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for or available under
Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments of penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the City regarding the amount and use of all of the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes.

SECTION 11. Certification and Delivery of Ordinance. The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Ordinance to the Cuyahoga County Fiscal Officer.

SECTION 11. Retention of Bond Counsel. The legal services of Squire Patton Boggs (US) LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Notes and the rendering of the necessary legal opinion upon the delivery of the Notes. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services. The Director of Finance is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

SECTION 12. Satisfaction of Conditions for Note Issuance. This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the City are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

SECTION 13. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken in open meetings of this Council or committees,
and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

**SECTION 14. Captions and Headings.** The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

**SECTION 15. Declaration of Emergency; Effective Date.** This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Notes, which is necessary to enable the City to enter into contracts for the improvement which is needed to enhance access to the City’s Community House and thereby better protect the health and safety of the users of that facility; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: ________ ___, 2017  
/s/ Dwight Clark  
President of Council

/s/ Joan T. Kemper  
Clerk of Council

APPROVED: ________ ___, 2017

/s/ Paul A. Koomar  
Mayor

I, Joan T. Kemper, Clerk of Council of the City of Bay Village, Ohio, hereby certify the foregoing to be a true copy of Ordinance No. 17-______, passed by the Council of the City of Bay Village on ________ ___, 2017, and now on file in the office of the Clerk of Council.

______________________________  
Clerk of Council
FISCAL OFFICER'S CERTIFICATE

TO THE COUNCIL OF THE CITY OF BAY VILLAGE, OHIO:

As fiscal officer of the City of Bay Village, Ohio, I certify in connection with your proposed issue of $240,000 of notes (the Notes), to be issued in anticipation of the issuance of bonds (the Bonds), for the purpose of paying costs of acquiring a motor vehicle and equipment for use in performing the functions of the City's Fire Department, together with all necessary appurtenances thereto (the improvement), that:

1. The estimated life or period of usefulness of the improvement is at least five years.

2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is 10 years. If notes in anticipation of the Bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original issue of notes, the period in excess of those five years shall be deducted from that maximum maturity of the Bonds.

3. The maximum maturity of the Notes is 15 years from their date of issuance.

Dated: May 1, 2017

[Signature]
Director of Finance
City of Bay Village, Ohio
AN ORDINANCE
PROVIDING FOR THE ISSUANCE AND SALE OF $240,000 OF NOTES, IN
ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF
PAYING COSTS OF ACQUIRING A MOTOR VEHICLE AND
EQUIPMENT FOR USE IN PERFORMING THE FUNCTIONS OF THE
CITY’S FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.

WHEREAS, the Director of Finance, as fiscal officer of the City, has certified to this
Council that the estimated life or period of usefulness of the improvement described in Section 1 is
at least five years, the estimated maximum maturity of the Bonds described in Section 1 is 10 years,
and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the
Bonds, is 15 years from their date of issuance;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Bay Village,
County of Cuyahoga, Ohio, that:

SECTION 1. Authorized Principal Amount and Purpose of Anticipated Bonds. It is
necessary to issue bonds of the City in the aggregate principal amount of $240,000 (the Bonds) for
the purpose of paying costs of acquiring a motor vehicle and equipment for use in performing the
functions of the City’s Fire Department, together with all necessary appurtenances thereto.

SECTION 2. Estimated Bond Terms. The Bonds shall be dated approximately May 1,
2018, shall bear interest at the now estimated rate of 5% per year, payable semiannually until the
principal amount is paid, and are estimated to mature in 10 annual principal installments on
December 1 of each year that are substantially equal. The first interest payment on the Bonds is
estimated to be December 1, 2018, and the first principal payment of the Bonds is estimated to be
December 1, 2019.

SECTION 3. Authorized Principal Amount of Notes; Note Terms. It is necessary to
issue and this Council determines that notes in the aggregate principal amount of $240,000 (the
Notes) shall be issued in anticipation of the issuance of the Bonds. The Notes shall be dated the
date of issuance and shall mature one year from the date of issuance; provided that the Director of
Finance may, if it is determined to be necessary or advisable to the sale of the Notes, establish a
maturity date that is any date up to one year from the date of issuance by setting forth that maturity
date in the certificate signed in accordance with Section 6 (the Certificate of Award). The Notes
shall bear interest at a rate not to exceed 4% per year (computed on the basis of a 360-day year
consisting of 12 30-day months), payable at maturity and until the principal amount is paid or
payment is provided for. The rate of interest on the Notes shall be determined by the Director of
Finance in the Certificate of Award.
SECTION 4. Payment of Debt Charges; Paying Agent. The debt charges on the Notes shall be payable in Federal Reserve funds of the United States of America and shall be payable, without deduction for services of the City’s paying agent, at the designated corporate trust office of The Huntington National Bank, or at the principal corporate trust or other office of a bank or trust company designated by the Director of Finance in the Certificate of Award after determining that the payment at that bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose, or at the office of the Director of Finance if agreed to by the Director of Finance and the Original Purchaser (as defined in Section 6) (the Paying Agent).

SECTION 5. Form and Execution of Notes; Book Entry System. The Notes shall be signed by the Mayor and the Director of Finance, in the name of the City and in their official capacities, provided that one of those signatures may be a facsimile. The Notes shall be issued in the denominations and numbers as requested by the Original Purchaser and approved by the Director of Finance in the Certificate of Award. The entire principal amount may be represented by a single note and may be issued as fully registered securities (for which the Director of Finance will serve as note Registrar) and in book entry or other uncertificated form in accordance with Section 9.96 and Chapter 133 of the Revised Code if it is determined by the Director of Finance that issuance of fully registered securities in that form will facilitate the sale and delivery of the Notes. The Notes shall not have coupons attached, shall be numbered as determined by the Director of Finance and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Ordinance. As used in this Section and this Ordinance:

"Book entry form" or "book entry system" means a form or system under which (i) the ownership of beneficial interests in the Notes and the principal of, and interest on, the Notes may be transferred only through a book entry, and (ii) a single physical Note certificate is issued by the City and payable only to a Depository or its nominee, with such Notes "immobilized" in the custody of the Depository or its agent for that purpose. The book entry maintained by others than the City is the record that identifies the owners of beneficial interests in the Notes and that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in the Notes or the principal of, and interest on, the Notes and to effect transfers of the Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single Note made payable to the Depository or its nominee and immobilized in the custody of the Depository or its agent for that purpose; (ii) the beneficial owners in book entry form shall have no right to receive the Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in
book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Director of Finance may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and shall cause the Notes in bearer or payable to order form to be signed by the officers authorized to sign the Notes and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Director of Finance is also hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the book entry system for the Notes, after determining that the signing thereof will not endanger the funds or securities of the City.

SECTION 6. Award and Sale of the Notes. The Notes shall be sold at not less than par at private sale by the Director of Finance to the original purchaser designated by the Director of Finance in the Certificate of Award (the Original Purchaser) in accordance with law and the provisions of this Ordinance. The Director of Finance shall sign the Certificate of Award referred to in Section 3 evidencing that sale to the Original Purchaser, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. The Mayor, the Director of Finance, the Director of Law, the Clerk of Council and other City officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance. The Director of Finance is authorized, if it is determined to be in the best interest of the City, to combine the issue of Notes with one or more other note issues of the City into a consolidated note issue pursuant to Section 133.30(B) of the Revised Code.

The Director of Finance is authorized to request a rating for the Notes from one or more nationally-recognized rating agencies in connection with the sale and issuance of the Notes. The expenditure of the amounts necessary to secure those rating(s) and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Notes is authorized and approved, and the Director of Finance is authorized to provide for the payment of any such amounts and costs from the proceeds of the Notes to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

SECTION 7. Application of Note Proceeds. The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds and those
proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

SECTION 8. Application and Pledge of Bond or Renewal Note Proceeds or Excess Funds. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

SECTION 9. Provisions for Tax Levy. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the City, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or the Bonds when and as the same fall due. In each year, to the extent other funds are available for the payment of the debt charges on the Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of the money so available and appropriated.

SECTION 10. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code) or (ii) be treated otherwise than as bonds to which Section 103 of the Code applies, and (b) the interest thereon will not be treated as a preference item under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation (including specifically designation of the Notes as "qualified tax-exempt obligations" if such designation is applicable and desirable, and to make any related necessary representations and covenants), choice, consent, approval, or waiver on behalf of the City with respect to the Notes as the City is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for or available under
Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments of penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes.

SECTION 11. Certification and Delivery of Ordinance. The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Ordinance to the Cuyahoga County Fiscal Officer.

SECTION 11. Retention of Bond Counsel. The legal services of Squire Patton Boggs (US) LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Notes and the rendering of the necessary legal opinion upon the delivery of the Notes. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services. The Director of Finance is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

SECTION 12. Satisfaction of Conditions for Note Issuance. This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the City are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

SECTION 13. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken in open meetings of this Council or committees,
and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

SECTION 14. Captions and Headings. The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

SECTION 15. Declaration of Emergency; Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Notes, which is necessary to enable the City to enter into contracts for the improvement which is needed to timely and efficiently provide municipal emergency medical services to City residents and thereby better provide for their health and safety; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _________, 2017

/s/ Dwight Clark
PRESIDENT OF COUNCIL

/s/ Joan T. Kemper
CLERK OF COUNCIL

APPROVED: _________, 2017

/s/ Paul A. Koomar
MAYOR

I, Joan T. Kemper, Clerk of Council of the City of Bay Village, Ohio, hereby certify the foregoing to be a true copy of Ordinance No. 17-______, passed by the Council of the City of Bay Village on _________, 2017, and now on file in the office of the Clerk of Council.

__________________________
Clerk of Council
FISCAL OFFICER'S CERTIFICATE

TO THE COUNCIL OF THE CITY OF BAY VILLAGE, OHIO:

As fiscal officer of the City of Bay Village, Ohio, I certify in connection with your proposed issue of $22,500 of notes (the Notes), to be issued in anticipation of the issuance of bonds (the Bonds), for the purpose of paying costs of acquiring office equipment for use in performing the administrative functions of the City, together with all necessary appurtenances thereto (the improvement), that:

1. The estimated life or period of usefulness of the improvement is at least five years.

2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is five years, being my estimate of the life or period of usefulness of the improvement. If notes in anticipation of the Bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original issue of notes, the period in excess of those five years shall be deducted from that maximum maturity of the Bonds.

3. The maximum maturity of the Notes is 10 years from their date of issuance.

Dated: May 1, 2017

[Signature]
Director of Finance
City of Bay Village, Ohio
AN ORDINANCE
PROVIDING FOR THE ISSUANCE AND SALE OF $22,500 OF NOTES, IN
ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF
PAYING COSTS OF ACQUIRING OFFICE EQUIPMENT FOR USE IN
PERFORMING THE ADMINISTRATIVE FUNCTIONS OF THE CITY,
AND DECLARING AN EMERGENCY.

WHEREAS, the Director of Finance, as fiscal officer of the City, has certified to this
Council that the estimated life or period of usefulness of the improvement described in Section 1 is
at least five years, the estimated maximum maturity of the Bonds described in Section 1 is five
years, and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of
the Bonds, is 10 years from their date of issuance;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Bay Village,
County of Cuyahoga, Ohio, that:

SECTION 1. Authorized Principal Amount and Purpose of Anticipated Bonds. It is
necessary to issue bonds of the City in the aggregate principal amount of $22,500 (the Bonds) for
the purpose of paying costs of acquiring office equipment for use in performing the
administrative functions of the City, together with all necessary appurtenances thereto.

SECTION 2. Estimated Bond Terms. The Bonds shall be dated approximately May 1,
2018, shall bear interest at the now estimated rate of 4% per year, payable semiannually until the
principal amount is paid, and are estimated to mature in five annual principal installments on
December 1 of each year that are substantially equal. The first interest payment on the Bonds is
estimated to be December 1, 2018, and the first principal payment of the Bonds is estimated to be
December 1, 2019.

SECTION 3. Authorized Principal Amount of Notes; Note Terms. It is necessary to
issue and this Council determines that notes in the aggregate principal amount of $22,500 (the
Notes) shall be issued in anticipation of the issuance of the Bonds. The Notes shall be dated the
date of issuance and shall mature one year from the date of issuance; provided that the Director of
Finance may, if it is determined to be necessary or advisable to the sale of the Notes, establish a
maturity date that is any date up to one year from the date of issuance by setting forth that maturity
date in the certificate signed in accordance with Section 6 (the Certificate of Award). The Notes
shall bear interest at a rate not to exceed 4% per year (computed on the basis of a 360-day year
consisting of 12 30-day months), payable at maturity and until the principal amount is paid or
payment is provided for. The rate of interest on the Notes shall be determined by the Director of
Finance in the Certificate of Award.
SECTION 4. Payment of Debt Charges; Paying Agent. The debt charges on the Notes shall be payable in Federal Reserve funds of the United States of America and shall be payable, without deduction for services of the City’s paying agent, at the designated corporate trust office of The Huntington National Bank, or at the principal corporate trust or other office of a bank or trust company designated by the Director of Finance in the Certificate of Award after determining that the payment at that bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose, or at the office of the Director of Finance if agreed to by the Director of Finance and the Original Purchaser (as defined in Section 6) (the Paying Agent).

SECTION 5. Form and Execution of Notes; Book Entry System. The Notes shall be signed by the Mayor and the Director of Finance, in the name of the City and in their official capacities, provided that one of those signatures may be a facsimile. The Notes shall be issued in the denominations and numbers as requested by the Original Purchaser and approved by the Director of Finance in the Certificate of Award. The entire principal amount may be represented by a single note and may be issued as fully registered securities (for which the Director of Finance will serve as note registrar) and in book entry or other uncertificated form in accordance with Section 9.96 and Chapter 133 of the Revised Code if it is determined by the Director of Finance that issuance of fully registered securities in that form will facilitate the sale and delivery of the Notes. The Notes shall not have coupons attached, shall be numbered as determined by the Director of Finance and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Ordinance. As used in this Section and this Ordinance:

“Book entry form” or “book entry system” means a form or system under which (i) the ownership of beneficial interests in the Notes and the principal of, and interest on, the Notes may be transferred only through a book entry, and (ii) a single physical Note certificate is issued by the City and payable only to a Depository or its nominee, with such Notes “immobilized” in the custody of the Depository or its agent for that purpose. The book entry maintained by others than the City is the record that identifies the owners of beneficial interests in the Notes and that principal and interest.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in the Notes or the principal of, and interest on, the Notes and to effect transfers of the Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Participant” means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single Note made payable to the Depository or its nominee and immobilized in the custody of the Depository or its agent for that purpose; (ii) the beneficial owners in book entry form shall have no right to receive the Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in
book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Director of Finance may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and shall cause the Notes in bearer or payable to order form to be signed by the officers authorized to sign the Notes and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Director of Finance is also hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the book entry system for the Notes, after determining that the signing thereof will not endanger the funds or securities of the City.

SECTION 6. Award and Sale of the Notes. The Notes shall be sold at not less than par at private sale by the Director of Finance to the original purchaser designated by the Director of Finance in the Certificate of Award (the Original Purchaser) in accordance with law and the provisions of this Ordinance. The Director of Finance shall sign the Certificate of Award referred to in Section 3 evidencing that sale to the Original Purchaser, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. The Mayor, the Director of Finance, the Director of Law, the Clerk of Council and other City officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance. The Director of Finance is authorized, if it is determined to be in the best interest of the City, to combine the issue of Notes with one or more other note issues of the City into a consolidated note issue pursuant to Section 133.30(B) of the Revised Code.

The Director of Finance is authorized to request a rating for the Notes from one or more nationally-recognized rating agencies in connection with the sale and issuance of the Notes. The expenditure of the amounts necessary to secure those rating(s) and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Notes is authorized and approved, and the Director of Finance is authorized to provide for the payment of any such amounts and costs from the proceeds of the Notes to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

SECTION 7. Application of Note Proceeds. The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds and those
proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

SECTION 8. Application and Pledge of Bond or Renewal Note Proceeds or Excess Funds. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

SECTION 9. Provisions for Tax Levy. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the City, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or the Bonds when and as the same fall due. In each year, to the extent other funds are available for the payment of the debt charges on the Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of the money so available and appropriated.

SECTION 10. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code) or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon will not be treated as a preference item under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation (including specifically designation of the Notes as “qualified tax-exempt obligations” if such designation is applicable and desirable, and to make any related necessary representations and covenants), choice, consent, approval, or waiver on behalf of the City with respect to the Notes as the City is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for or available under
Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments of penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes.

SECTION 11. Certification and Delivery of Ordinance. The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Ordinance to the Cuyahoga County Fiscal Officer.

SECTION 11. Retention of Bond Counsel. The legal services of Squire Patton Boggs (US) LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Notes and the rendering of the necessary legal opinion upon the delivery of the Notes. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services. The Director of Finance is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

SECTION 12. Satisfaction of Conditions for Note Issuance. This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the City are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

SECTION 13. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken in open meetings of this Council or committees,
and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

SECTION 14. Captions and Headings. The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

SECTION 15. Declaration of Emergency; Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Notes, which is necessary to enable the City to enter into contracts for the improvement which is needed to provide for the efficient and safe administration of the government of the City; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: ____________, 2017

/s/ Dwight Clark
PRESIDENT OF COUNCIL

/s/ Joan T. Kemper
CLERK OF COUNCIL

APPROVED: ____________, 2017

/s/ Paul A. Koomar
MAYOR

I, Joan T. Kemper, Clerk of Council of the City of Bay Village, Ohio, hereby certify the foregoing to be a true copy of Ordinance No. 17-______, passed by the Council of the City of Bay Village on ____________, 2017, and now on file in the office of the Clerk of Council.

Clerk of Council
FISCAL OFFICER'S CERTIFICATE

TO THE COUNCIL OF THE CITY OF BAY VILLAGE, OHIO:

As fiscal officer of the City of Bay Village, Ohio, I certify in connection with your proposed issue of $104,000 of notes (the Notes), to be issued in anticipation of the issuance of bonds (the Bonds), for the purpose of paying costs of improving the City's parks and recreational facilities by improving constructing improvements to electrical systems, windows and restroom facilities and improving their sites, all together with the necessary appurtenances thereto (the improvement), that:

1. The estimated life or period of usefulness of the improvement is at least five years.

2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is 30 years. If notes in anticipation of the Bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original issue of notes, the period in excess of those five years shall be deducted from that maximum maturity of the Bonds.

3. The maximum maturity of the Notes is 240 months from their date of issuance.

Dated: May 1, 2017

[Signature]

Director of Finance
City of Bay Village, Ohio
ORDINANCE NO. 17-__
INTRODUCED BY: ____________

AN ORDINANCE
PROVIDING FOR THE ISSUANCE AND SALE OF $104,000 OF NOTES, IN
ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF
PAYING COSTS OF IMPROVING THE CITY’S PARKS AND
RECREATIONAL FACILITIES BY IMPROVING CONSTRUCTING
IMPROVEMENTS TO ELECTRICAL SYSTEMS, WINDOWS AND
RESTROOM FACILITIES AND IMPROVING THEIR SITES, AND
DECLARING AN EMERGENCY.

WHEREAS, the Director of Finance, as fiscal officer of the City, has certified to this
Council that the estimated life or period of usefulness of the improvement described in Section 1 is
at least five years, the estimated maximum maturity of the Bonds described in Section 1 is 30 years,
and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the
Bonds, is 240 months from their date of issuance;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Bay Village,
County of Cuyahoga, Ohio, that:

SECTION 1. Authorized Principal Amount and Purpose of Anticipated Bonds. It is
necessary to issue bonds of the City in the aggregate principal amount of $104,000 (the Bonds) for
the purpose of paying costs of improving the City’s parks and recreational facilities by improving
constructing improvements to electrical systems, windows and restroom facilities and improving
their sites, all together with the necessary appurtenances thereto.

SECTION 2. Estimated Bond Terms. The Bonds shall be dated approximately May 1,
2018, shall bear interest at the now estimated rate of 5% per year, payable semiannually until the
principal amount is paid, and are estimated to mature in 30 annual principal installments on
December 1 of each year that are substantially equal. The first interest payment on the Bonds is
estimated to be December 1, 2018, and the first principal payment of the Bonds is estimated to be
December 1, 2019.

SECTION 3. Authorized Principal Amount of Notes; Note Terms. It is necessary to
issue and this Council determines that notes in the aggregate principal amount of $104,000 (the
Notes) shall be issued in anticipation of the issuance of the Bonds. The Notes shall be dated the
date of issuance and shall mature one year from the date of issuance; provided that the Director of
Finance may, if it is determined to be necessary or advisable to the sale of the Notes, establish a
maturity date that is any date up to one year from the date of issuance by setting forth that maturity
date in the certificate signed in accordance with Section 6 (the Certificate of Award). The Notes
shall bear interest at a rate not to exceed 4% per year (computed on the basis of a 360-day year
consisting of 12 30-day months), payable at maturity and until the principal amount is paid or
payment is provided for. The rate of interest on the Notes shall be determined by the Director of Finance in the Certificate of Award.

SECTION 4. Payment of Debt Charges; Paying Agent. The debt charges on the Notes shall be payable in Federal Reserve funds of the United States of America and shall be payable, without deduction for services of the City’s paying agent, at the designated corporate trust office of The Huntington National Bank, or at the principal corporate trust or other office of a bank or trust company designated by the Director of Finance in the Certificate of Award after determining that the payment at that bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose, or at the office of the Director of Finance if agreed to by the Director of Finance and the Original Purchaser (as defined in Section 6) (the Paying Agent).

SECTION 5. Form and Execution of Notes; Book Entry System. The Notes shall be signed by the Mayor and the Director of Finance, in the name of the City and in their official capacities, provided that one of those signatures may be a facsimile. The Notes shall be issued in the denominations and numbers as requested by the Original Purchaser and approved by the Director of Finance in the Certificate of Award. The entire principal amount may be represented by a single note and may be issued as fully registered securities (for which the Director of Finance will serve as note registrar) and in book entry or other uncertificated form in accordance with Section 9.96 and Chapter 133 of the Revised Code if it is determined by the Director of Finance that issuance of fully registered securities in that form will facilitate the sale and delivery of the Notes. The Notes shall not have coupons attached, shall be numbered as determined by the Director of Finance and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Ordinance. As used in this Section and this Ordinance:

“Book entry form” or “book entry system” means a form or system under which (i) the ownership of beneficial interests in the Notes and the principal of, and interest on, the Notes may be transferred only through a book entry, and (ii) a single physical Note certificate is issued by the City and payable only to a Depository or its nominee, with such Notes “immobilized” in the custody of the Depository or its agent for that purpose. The book entry maintained by others than the City is the record that identifies the owners of beneficial interests in the Notes and that principal and interest.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in the Notes or the principal of, and interest on, the Notes and to effect transfers of the Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Participant” means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single Note made
payable to the Depository or its nominee and immobilized in the custody of the Depository or its agent for that purpose; (ii) the beneficial owners in book entry form shall have no right to receive the Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Director of Finance may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and shall cause the Notes in bearer or payable to order form to be signed by the officers authorized to sign the Notes and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Director of Finance is also hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the book entry system for the Notes, after determining that the signing thereof will not endanger the funds or securities of the City.

SECTION 6. Award and Sale of the Notes. The Notes shall be sold at not less than par at private sale by the Director of Finance to the original purchaser designated by the Director of Finance in the Certificate of Award (the Original Purchaser) in accordance with law and the provisions of this Ordinance. The Director of Finance shall sign the Certificate of Award referred to in Section 3 evidencing that sale to the Original Purchaser, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. The Mayor, the Director of Finance, the Director of Law, the Clerk of Council and other City officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance. The Director of Finance is authorized, if it is determined to be in the best interest of the City, to combine the issue of Notes with one or more other note issues of the City into a consolidated note issue pursuant to Section 133.30(B) of the Revised Code.

The Director of Finance is authorized to request a rating for the Notes from one or more nationally-recognized rating agencies in connection with the sale and issuance of the Notes. The expenditure of the amounts necessary to secure those rating(s) and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Notes is authorized and approved, and the Director of Finance is authorized to provide for the payment of any such amounts and costs from the proceeds of the Notes to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.
SECTION 7. Application of Note Proceeds. The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

SECTION 8. Application and Pledge of Bond or Renewal Note Proceeds or Excess Funds. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

SECTION 9. Provisions for Tax Levy. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the City, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or the Bonds when and as the same fall due. In each year, to the extent other funds are available for the payment of the debt charges on the Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of the money so available and appropriated.

SECTION 10. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code) or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon will not be treated as a preference item under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation (including specifically designation of the Notes as "qualified tax-exempt obligations" if such designation is applicable and desirable, and to make any related necessary
representations and covenants), choice, consent, approval, or waiver on behalf of the City with respect to the Notes as the City is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments of penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes.

SECTION 11. Certification and Delivery of Ordinance. The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Ordinance to the Cuyahoga County Fiscal Officer.

SECTION 11. Retention of Bond Counsel. The legal services of Squire Patton Boggs (US) LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Notes and the rendering of the necessary legal opinion upon the delivery of the Notes. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services. The Director of Finance is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

SECTION 12. Satisfaction of Conditions for Note Issuance. This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the City are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.
SECTION 13. Compliance with Open Meeting Requirements. This Council finds and
determines that all formal actions of this Council and of any of its committees concerning and
relating to the passage of this Ordinance were taken in open meetings of this Council or committees,
and that all deliberations of this Council and of any of its committees that resulted in those formal
actions were in meetings open to the public, all in compliance with the law.

SECTION 14. Captions and Headings. The captions and headings in this Ordinance
are solely for convenience of reference and in no way define, limit or describe the scope or intent
of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a
Section means a section of this Ordinance unless otherwise indicated.

SECTION 15. Declaration of Emergency; Effective Date. This Ordinance is declared to
be an emergency measure necessary for the immediate preservation of the public peace, property,
health and safety of the City, and for the further reason that this Ordinance is required to be
immediately effective in order to issue and sell the Notes, which is necessary to enable the City to
enter into contracts for the improvement which is needed to promote the health of the residents of
the City by enhancing their recreational opportunities; wherefore, this Ordinance shall be in full
force and effect immediately upon its passage and approval by the Mayor.

PASSED: ___________ , 2017

/s/ Dwight Clark
PRESIDENT OF COUNCIL

/s/ Joan T. Kemper
CLERK OF COUNCIL

APPROVED: ___________ , 2017

/s/ Paul A. Koomar
MAYOR

I, Joan T. Kemper, Clerk of Council of the City of Bay Village, Ohio, hereby certify the
foregoing to be a true copy of Ordinance No. 17-______, passed by the Council of the City of Bay
Village on _____________, 2017, and now on file in the office of the Clerk of Council.

Clerk of Council
ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH
THE MCGOWAN INSURANCE AGENCY AS AGENTS OF
ARGONAUT INSURANCE FOR PUBLIC OFFICIALS LIABILITY,
LAW ENFORCEMENT PROFESSIONAL AND FIREFIGHTERS PROFESSIONAL
LIABILITY, GENERAL LIABILITY, AUTOMOBILE PHYSICAL DAMAGE AND
LIABILITY, PROPERTY AND EQUIPMENT, BOILER &MACHINERY AND
CRIME COVERAGE, AND UMBRELLA INSURANCE,
AND DECLARING AN EMERGENCY.

WHEREAS, the current agreement between the City of Bay Village and McGowan
Insurance Agency as agents for the City’s general liability and property insurance coverage as
authorized by Ordinance No. 16-45 expires June 15, 2017;

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Bay
Village, Ohio:

SECTION 1. That the Mayor is hereby authorized to enter into an agreement with
McGowan Insurance Agency as agents of Argonaut Insurance for Public Officials Liability, Law
Enforcement Professional and Fire Fighters Professional Liability, General Liability, Automobile
Physical Damage and Liability, Property and Equipment, Boiler & Machinery and Crime Coverage,
and Umbrella insurance for a one year period beginning June 15, 2016. The annual premium for
Argonaut Insurance which includes Comprehensive Municipal Liability coverage, Public Officials
Errors & Omissions, Automobile Liability & Physical Damage coverage, Police Professional
Liability, Property (Business & Contents) coverage, Inland Marine coverage, Boiler & Machinery
coverage, Electronic & Data Processing Equipment coverage, Valuable Papers & Records and
Umbrella coverage is $156,506 (One hundred fifty six thousand five hundred six dollars). Payments
shall be made from the General Insurance Fund (601).

SECTION 2. That this Council finds and determines that all formal actions of
this Council concerning and relating to the passage of this ordinance were taken in an open meeting
of this Council, and that all deliberations of this Council and of any committees that resulted in
those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure
immediately necessary for the preservation of the public peace, health, safety and welfare, and for
the further reason that it is immediately necessary to provide uninterrupted insurance coverage to
protect the assets of the City, wherefore this ordinance shall be in full force and take effect
immediately upon its passage and approval by the Mayor.
PASSED:

____________________

CLERK OF COUNCIL

APPROVED:

____________________

MAYOR

5-4-17 LL

____________________

PRESIDENT OF COUNCIL
RESOLUTION NO.
INTRODUCED BY:

A RESOLUTION
ADOPTING A TAX BUDGET FOR THE CITY OF BAY VILLAGE FOR THE
FISCAL YEAR BEGINNING JANUARY 1, 2018 SUBMITTING SAME
TO THE COUNTY FISCAL OFFICER, AND DECLARING AN EMERGENCY.

WHEREAS, there has heretofore been prepared a tentative tax budget for the City of Bay Village for the fiscal year beginning January 1, 2018 showing detailed estimates of all balances that will be available at the beginning of the year 2018 for the purpose of such year and of all revenues to be received for such fiscal year, including all general and special taxes, fees, costs, percentages, penalties, allowances, prerequisites and all other types or classes of revenues; also estimates of all said revenues or balances; and otherwise conforming with the requirements of law; and

WHEREAS, the budget will be available for public inspection; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bay Village, Ohio:

SECTION 1. That the tax budget of the City of Bay Village for the fiscal year beginning January 1, 2018 as heretofore prepared and submitted to Council, copies of which are on file in the office of the Director of Finance of the City and the Clerk of Council, be and it is hereby adopted as the official tax budget for the City of Bay Village for the fiscal year beginning January 1, 2018.

SECTION 2. That the Clerk of Council is hereby directed to certify a copy of said tax budget and a copy of this Resolution to the Cuyahoga County Fiscal Officer, Ohio.

SECTION 3. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 4. That this Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is immediately necessary to adopt such tax budget to provide funds for 2018 wherefore this Resolution shall be in full force and take effect immediately upon its passage and approval by the Mayor.

ADOPTED:

_________________________  _________________________
PRESIDENT OF COUNCIL

_________________________
CLERK OF COUNCIL
APPROVED:

__________________________

MAYOR

4-12-17 LL
**AN ORDINANCE**

**AMENDING SECTION 1 OF ORDINANCE 17-2 REGARDING RATES OF COMPENSATION FOR THE OFFICERS AND EMPLOYEES OF THE GENERAL ADMINISTRATION DEPARTMENT AND THOSE EMPLOYEES OF THE CITY NOT COVERED BY SEPARATE LABOR CONTRACT FOR THE CALENDAR YEAR 2017 AND THEREAFTER, AND DECLARING AN EMERGENCY.**

**BE IT ORDAINED** by the Council of the City of Bay Village, Ohio:

**SECTION 1.** That January 1, 2017 compensation to be paid to the officers and employees of the GENERAL ADMINISTRATION DEPARTMENT and those employees not covered by separate labor contract shall be:

<table>
<thead>
<tr>
<th>Position</th>
<th>January 1, 2017 and Thereafter</th>
<th>May 8, 2017 and Thereafter</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Director of Finance</td>
<td>$97,397</td>
<td>$97,397</td>
</tr>
<tr>
<td>2. Assistant Finance Director</td>
<td>$70,621</td>
<td>$70,621</td>
</tr>
<tr>
<td>3. Accounts Payable Coordinator</td>
<td>$18.32 – $20.98 per hour</td>
<td>$18.32 – $20.98 per hour</td>
</tr>
<tr>
<td>4. Part-time Human Resources Administrator</td>
<td>29.20 per hour</td>
<td>29.20 per hour</td>
</tr>
<tr>
<td>5. Part-time Clerical</td>
<td>$12.18 – $16.60 per hour</td>
<td>$12.18 – $16.60 per hour</td>
</tr>
<tr>
<td>6. Director of Law</td>
<td>$75,401</td>
<td>$75,401</td>
</tr>
<tr>
<td>7. Prosecutor</td>
<td>$35,379</td>
<td>$35,379</td>
</tr>
<tr>
<td>8. <strong>Interim</strong> Dir. Public Service &amp; Properties</td>
<td>$85,000-95,000</td>
<td><strong>$80,000</strong></td>
</tr>
<tr>
<td>10. Public Works Supervisor</td>
<td>$73,007</td>
<td>$73,007</td>
</tr>
<tr>
<td>11. Sewer Maintenance Supervisor</td>
<td>$63,787</td>
<td>$63,787</td>
</tr>
<tr>
<td>12. Infrastructure Manager</td>
<td>$67,020</td>
<td>$67,020</td>
</tr>
<tr>
<td></td>
<td>Property Maintenance Inspector</td>
<td>$61,701</td>
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<tr>
<td>---</td>
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</tr>
<tr>
<td>14.</td>
<td>Projects Coordinator</td>
<td>$31.91 per hour</td>
</tr>
<tr>
<td>15.</td>
<td>Part-time</td>
<td>$8.15 – $17.96 per hour</td>
</tr>
<tr>
<td>16.</td>
<td>Seasonal</td>
<td>$8.15 – $17.35 per hour</td>
</tr>
<tr>
<td>17.</td>
<td>Director of Recreation</td>
<td>$75,012</td>
</tr>
<tr>
<td>18.</td>
<td>Asst. Recreation Director</td>
<td>$46,311</td>
</tr>
<tr>
<td>19.</td>
<td>Assistant to Mayor</td>
<td>$47,463</td>
</tr>
<tr>
<td>20.</td>
<td>Clerk of Council</td>
<td>$52,366</td>
</tr>
<tr>
<td>21.</td>
<td>Fire Chief</td>
<td>$105,196</td>
</tr>
<tr>
<td>22.</td>
<td>Police Chief</td>
<td>$105,196</td>
</tr>
<tr>
<td>23.</td>
<td>Deputy Police Officer</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Start</td>
<td>$23.87 per hour</td>
</tr>
<tr>
<td></td>
<td>After 2080 hours</td>
<td>$26.52 per hour</td>
</tr>
<tr>
<td></td>
<td>After 4160 hours</td>
<td>$30.06 per hour</td>
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<tr>
<td></td>
<td>After 6240 hours</td>
<td>$34.24 per hour</td>
</tr>
<tr>
<td>25.</td>
<td>Animal Control Officer (part time)</td>
<td>$18.00-$22.00 per hour</td>
</tr>
<tr>
<td>26.</td>
<td>Jailer/Matron</td>
<td>$14.78 per hour</td>
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<tr>
<td>27.</td>
<td>Full time Dispatch</td>
<td>$17.89-22.50 per hour</td>
</tr>
<tr>
<td>28.</td>
<td>Part time Dispatch</td>
<td>$16.10-20.25 per hour</td>
</tr>
<tr>
<td>29.</td>
<td>Director of Community Services</td>
<td>$61,701</td>
</tr>
<tr>
<td>Position</td>
<td>Salary 1</td>
<td>Salary 2</td>
</tr>
<tr>
<td>----------------------------------------------</td>
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<td>----------</td>
</tr>
<tr>
<td>30. Assistant Director of Community Services</td>
<td>$37,233</td>
<td>$37,233</td>
</tr>
<tr>
<td>32. Safety Director</td>
<td>$5,000</td>
<td>$5,000</td>
</tr>
</tbody>
</table>

The individual who may serve pro-tem as Secretary to Council or as Secretary to Planning Commission, Board of Zoning Appeals, Recreation Commission, Civil Service Commission, Architectural Board of Review, Tree Commission or Charter Review Committee shall be paid fifty dollars ($50.00) for the first two hours of attendance and his or her hourly rate thereafter per regular or special meeting attended in lieu of wages.”

and present Section 1 of Ordinance 17-2 is hereby repealed.

SECTION 2. That it is found and determined that all formal actions concerning and relating to the adoption of this ordinance were adopted in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is necessary to provide for compensation in conformance with agreements reached during labor negotiations and to secure adequate personnel for the City’s needs, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

_________________________
PRESIDENT OF COUNCIL

_________________________
CLERK OF COUNCIL

APPROVED:

_________________________
MAYOR